

By Senator Haridopolos

26-00385-08

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1 A bill to be entitled

2 An act relating to obsolete or outdated agency plans,
3 reports, and programs; repealing s. 14.25, F.S., relating
4 to the Florida State Commission on Hispanic Affairs;
5 amending s. 14.26, F.S.; revising reporting requirements
6 of the Citizen's Assistance Office; repealing s. 14.27,
7 F.S., relating to the Florida Commission on African-
8 American Affairs; repealing s. 16.58, F.S., relating to
9 the Florida Legal Resource Center; amending s. 17.32,
10 F.S.; revising the recipients of the annual report of
11 trust funds by the Chief Financial Officer; amending s.
12 17.325, F.S.; deleting a reporting requirement relating to
13 the governmental efficiency hotline; amending s. 20.057,
14 F.S.; deleting a reporting requirement of the Governor
15 relating to interagency agreements to delete duplication
16 of inspections; amending s. 20.19, F.S.; deleting
17 provisions relating to planning by the Department of
18 Children and Family Services; deleting provisions relating
19 to planning in service districts of the department;
20 repealing s. 20.316(4) (e), (f), and (g), F.S.; deleting
21 provisions relating to information systems of the
22 Department of Juvenile Justice; amending s. 20.43, F.S.;
23 revising provisions relating to planning by the Department
24 of Health; repealing s. 39.3065(3) (d), F.S.; deleting
25 certain provisions relating to evaluations and reports of
26 child protective investigative services; amending s.
27 39.4086, F.S.; deleting provisions relating to a report by
28 the State Courts Administrator on a guardian ad litem
29 program for dependent children; transferring certain

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30 duties to the statewide Guardian Ad Litem Office;
31 repealing s. 39.523(5), F.S.; deleting provisions relating
32 to a report on the placement of children in licensed
33 residential group care; amending s. 98.255, F.S.; deleting
34 provisions relating to a report on the effectiveness of
35 voter education programs; amending s. 110.1227, F.S.;
36 revising provisions relating to a report by the board of
37 directors of the Florida Long-Term Care Plan; amending s.
38 120.542, F.S.; deleting provisions relating to reports of
39 petitions filed for variances to agency rules; amending s.
40 120.60, F.S.; deleting a provision relating to filing of
41 notice and certification of an agency's intent to grant or
42 deny a license; amending s. 120.695, F.S.; deleting
43 obsolete provisions relating to agency review of rules;
44 amending s. 121.45, F.S.; deleting provisions relating to
45 reports on interstate compacts relating to pension
46 portability; repealing s. 153.952, F.S., relating to
47 legislative findings and intent on privately owned
48 wastewater systems and facilities; amending s. 161.053,
49 F.S.; deleting a provision relating to a report on the
50 coastal construction control line; amending s. 161.161,
51 F.S.; deleting a provision requiring a report on funding
52 for beach erosion control; repealing s. 163.2526, F.S.,
53 relating to a review and evaluation of urban infill;
54 amending s. 163.3167, F.S.; deleting provisions relating
55 to local government comprehensive plans; amending s.
56 163.3177, F.S.; revising requirements for comprehensive
57 plans; amending s. 163.3178, F.S.; deleting a duty of the
58 Coastal Resources Interagency Management Committee to

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59 | submit certain recommendations; repealing s. 163.519(12),
60 | F.S.; deleting a requirement for a report on neighborhood
61 | improvement districts by the Department of Legal Affairs;
62 | repealing s. 186.007(9), F.S.; deleting provisions
63 | relating to a committee to recommend to the Governor
64 | changes in the state comprehensive plan; amending ss.
65 | 189.4035 and 189.412, F.S.; revising requirements relating
66 | to dissemination of the official list of special
67 | districts; amending s. 194.034, F.S.; deleting a
68 | requirement that the Department of Revenue be notified of
69 | certain value adjustment board decisions; amending s.
70 | 206.606, F.S.; revising provisions relating to a report on
71 | the Florida Boating Improvement Program; amending s.
72 | 212.054, F.S.; deleting the requirement for a report on
73 | costs of administering the discretionary sales surtax;
74 | amending s. 212.08, F.S.; deleting a requirement for a
75 | report on the sales tax exemption for machinery and
76 | equipment used in semiconductor, defense, or space
77 | technology production and research and development;
78 | repealing s. 213.0452, F.S., relating to a report on the
79 | structure of the Department of Revenue; repealing s.
80 | 213.054, F.S., relating to monitoring and reporting on
81 | persons claiming tax exemptions; amending s. 215.70, F.S.;
82 | requiring the State Board of Administration to report to
83 | the Governor when funds need to be appropriated to honor
84 | the full faith and credit of the state; amending s.
85 | 216.011, F.S.; redefining the term "long-range program
86 | plan"; repealing s. 216.103, F.S., relating to agencies
87 | receiving federal funds; repealing s. 216.172, F.S.,

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88 relating to meetings of legislative appropriations
89 committees; repealing s. 216.181(10)(c), F.S.; deleting
90 provisions relating to reports of filled and vacant
91 positions and salaries; amending s. 252.55, F.S.; revising
92 certain reporting requirements relating to the Civil Air
93 Patrol; amending s. 253.7825, F.S.; deleting provisions
94 relating to the plan for the Cross Florida Greenways State
95 Recreation and Conservation Area; repealing s. 253.7826,
96 F.S., relating to Cross Florida Barge Canal structures;
97 repealing s. 253.7829, F.S., relating to a management plan
98 for retention or disposition of Cross Florida Barge Canal
99 lands; amending s. 259.037, F.S.; revising provisions
100 relating to a report of the Land Management Uniform
101 Accounting Council; repealing s. 267.074(4), F.S.;
102 deleting provisions relating to a plan for the State
103 Historical Marker Program; repealing s. 272.121, F.S.,
104 relating to Capitol Center long-range planning; repealing
105 s. 284.50(3), F.S.; deleting a requirement for a report by
106 the Interagency Advisory Council on Loss Prevention and
107 department heads; repealing s. 287.045(11), F.S.; deleting
108 a requirement for reports on use of recycled products;
109 amending s. 287.059, F.S.; deleting a requirement for
110 reporting proposed fee schedules for private attorney
111 services for the Attorney General's office; repealing s.
112 287.16(10), F.S.; deleting a requirement for a report on
113 aircraft use by the Department of Management Services;
114 repealing s. 288.1045(6)(d), F.S.; deleting a requirement
115 for a report by the Office of Tourism, Trade, and Economic
116 Development on the defense contractor tax refund program;

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117 | repealing s. 288.108(7), F.S.; deleting a requirement for
118 | a report by the Office of Tourism, Trade, and Economic
119 | Development on high-impact businesses; repealing s.
120 | 288.1185, F.S., relating to the Recycling Markets Advisory
121 | Committee; amending s. 288.1226, F.S.; deleting a
122 | requirement for the Office of Tourism, Trade, and Economic
123 | Development to certify operations of the Florida Tourism
124 | Industry Marketing Corporation; amending s. 288.1229,
125 | F.S.; revising duties of the direct-support organization
126 | to support sports-related industries and amateur
127 | athletics; repealing s. 288.7015(4), F.S.; deleting a
128 | requirement for a report by the rules ombudsman in the
129 | Executive Office of the Governor; amending s. 288.7771,
130 | F.S.; revising a reporting requirement of the Florida
131 | Export Finance Corporation; repealing s. 288.8175(8),
132 | (10), and (11), F.S.; deleting certain responsibilities of
133 | the Department of Education with respect to linkage
134 | institutes between postsecondary institutions in this
135 | state and foreign countries; repealing s. 288.853(5),
136 | F.S.; deleting the requirement for a report on assistance
137 | to and commerce with Cuba; amending s. 288.95155, F.S.;
138 | revising requirements for a report by Enterprise Florida,
139 | Inc., on the Florida Small Business Technology Growth
140 | Program; amending s. 288.9604, F.S.; deleting a
141 | requirement for a report by the Florida Development
142 | Finance Corporation; amending s. 288.9610, F.S.; revising
143 | provisions relating to annual reporting by the
144 | corporation; amending s. 292.04, F.S.; deleting provisions
145 | relating to a survey by the Florida Commission on

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146 Veterans' Affairs; amending s. 292.05, F.S.; revising
147 requirements relating to a report by the Department of
148 Veterans' Affairs; repealing ss. 296.16 and 296.39, F.S.,
149 relating to reports by the executive director of the
150 Department of Veterans' Affairs; repealing s.
151 315.03(12)(c), F.S.; deleting provisions relating to
152 legislative review of a loan program of the Florida
153 Seaport Transportation and Economic Development Council;
154 amending s. 319.324, F.S.; deleting provisions relating to
155 funding a report on odometer fraud prevention and
156 detection; amending s. 322.181, F.S.; revising provisions
157 relating to a study by the Department of Highway Safety
158 and Motor Vehicles on driving by the elderly; repealing s.
159 322.251(7)(c), F.S.; deleting provisions relating to a
160 plan to indemnify persons wanted for passing worthless
161 bank checks; repealing s. 366.82(4), F.S.; deleting a
162 provision relating to reports by utilities to the Public
163 Service Commission; amending s. 369.22, F.S.; revising
164 requirements relating to a report by the Department of
165 Environmental Protection on nonindigenous plant control;
166 repealing s. 370.26(8), F.S.; deleting a duty of the Fish
167 and Wildlife Conservation Commission relating to an
168 aquaculture plan; amending s. 372.5712, F.S.; revising
169 provisions relating to a report by the commission on
170 waterfowl permit revenues; amending s. 372.5715, F.S.;
171 revising provisions relating to a report by the commission
172 on wild turkey permit revenues; repealing s. 372.673,
173 F.S., relating to the Florida Panther Technical Advisory
174 Council; amending s. 373.0391, F.S.; deleting provisions

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175 relating to provision of certain information by water
176 management districts; amending s. 373.046, F.S.; deleting
177 an obsolete provision requiring a report by the secretary
178 of the Department of Environmental Protection; repealing
179 s. 376.121(14), F.S.; deleting a provision relating to a
180 report by the Department of Environmental Protection on
181 damage to natural resources; repealing s. 376.17, F.S.,
182 relating to reports of the department to the Legislature;
183 repealing s. 376.30713(5), F.S.; deleting provisions
184 relating to a report on preapproved advanced cleanup;
185 amending s. 377.703, F.S.; deleting a requirement for a
186 report from the Public Service Commission on electricity,
187 natural gas, and energy conservation; amending s. 380.06,
188 F.S.; deleting provisions on transmission of revisions
189 relating to statewide guidelines and standards for
190 developments of regional impact; repealing s. 380.0677(3),
191 F.S.; deleting provisions relating to powers of the Green
192 Swamp Land Authority; repealing s. 381.0011(3), F.S.;
193 deleting provisions relating to an inclusion in the
194 Department of Health's strategic plan; repealing s.
195 381.0036, F.S., relating to planning for implementation of
196 educational requirements concerning HIV and AIDS;
197 repealing s. 381.731, F.S., relating to strategic planning
198 of the Department of Health; amending s. 381.795, F.S.;
199 deleting provisions relating to studies by the Department
200 of Health on long-term, community-based supports; amending
201 s. 381.931, F.S.; deleting provisions relating to the duty
202 of the Department of Health to develop a report on
203 Medicaid expenditures; amending s. 383.19, F.S.; revising

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204 provisions relating to reports by hospitals contracting to
205 provide perinatal intensive care services; repealing s.
206 383.21, F.S., relating to perinatal intensive care service
207 program review; amending s. 383.2161, F.S.; revising
208 requirements relating to a report by the Department of
209 Health on maternal and child health; repealing s.
210 394.4573(4), F.S.; deleting the requirement for a report
211 by the Department of Children and Family Services on state
212 mental health facility staffing; amending s. 394.4985,
213 F.S.; deleting provisions relating to plans by department
214 districts; amending s. 394.75, F.S.; revising provisions
215 relating to reports by the department on substance abuse
216 and mental health plans; repealing s. 394.82, F.S.,
217 relating to funding of expanded community mental health
218 services; amending s. 394.9082, F.S.; deleting obsolete
219 provisions relating to an amendment to the master state
220 plan on behavioral health services and to provision of
221 status reports; repealing s. 394.9083, F.S., relating to
222 the Behavioral Health Services Integration Workgroup;
223 repealing s. 395.807(2)(c), F.S.; deleting requirements
224 for a report on retention of family practice residents;
225 repealing s. 397.321(1) and (20), F.S.; deleting a
226 requirement that the Department of Children and Family
227 Services develop a plan for substance abuse services;
228 repealing s. 397.332(3), F.S.; deleting the requirement
229 for a report by the director of the Office of Drug
230 Control; amending s. 397.333, F.S.; deleting the
231 requirement for a report by the Statewide Drug Policy
232 Advisory Council; repealing s. 397.94(1), F.S.; deleting

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233 provisions relating to children's substance abuse services
234 plans by service districts of the Department of Children
235 and Family Services; repealing s. 400.148(2), F.S.;

236 deleting a provision relating to a pilot program of the
237 Agency for Health Care Administration on a quality-of-care
238 contract management program; amending s. 400.967, F.S.;

239 deleting provisions relating to a report by the Agency for
240 Health Care Administration on intermediate care facilities
241 for developmentally disabled persons; repealing s.
242 402.3016(3), F.S.; deleting a requirement for a report by
243 the agency on early head start collaboration grants;

244 repealing s. 402.40(9), F.S.; deleting a provision
245 relating to submission of certain information related to
246 child welfare training to the Legislature; amending s.
247 403.4131, F.S.; deleting provisions relating to a report
248 on the adopt-a-highway program; repealing s. 406.02(4)(a),
249 F.S.; deleting a requirement for a report by the Medical
250 Examiners Commission; amending s. 408.033, F.S.; revising
251 provisions relating to reports by local health councils;

252 repealing s. 408.914(4), F.S.; deleting provisions
253 requiring the Agency for Health Care Administration to
254 submit a plan on comprehensive health and human services
255 eligibility access to the Governor; amending s.
256 408.915(3)(i), F.S.; deleting provisions requiring
257 periodic reports on the pilot program for such access;

258 repealing s. 408.917, F.S., relating to evaluation of the
259 pilot project; amending s. 409.1451, F.S.; revising
260 requirements relating to reports on independent living
261 transition services; repealing s. 409.146, F.S., relating

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262 to the children and families client and management
263 information system; repealing s. 409.152, F.S., relating
264 to service integration and family preservation; repealing
265 s. 409.1679(1) and (2), F.S.; deleting provisions relating
266 to reports concerning residential group care services;
267 amending s. 409.1685, F.S.; revising provisions relating
268 to reports by the Department of Children and Family
269 Services on children in foster care; amending s. 409.178,
270 F.S.; deleting provisions relating to use of child care
271 purchasing pool funds; repealing s. 409.221(4)(k), F.S.;
272 deleting provisions relating to reports on consumer-
273 directed care; amending s. 409.25575, F.S.; deleting
274 provisions relating to a report by the Department of
275 Revenue regarding a quality assurance program for
276 privatization of services; amending s. 409.2558, F.S.;
277 deleting provisions relating to the Department of
278 Revenue's solicitation of recommendations related to a
279 rule on undistributable collections; repealing s.
280 409.441(3), F.S.; deleting provisions relating to the
281 state plan for the handling of runaway youths; amending s.
282 409.906, F.S.; deleting a requirement for reports of
283 child-welfare-targeted case management projects; amending
284 s. 409.912, F.S.; revising provisions relating to duties
285 of the agency with respect to cost-effective purchasing of
286 health care; repealing s. 410.0245, F.S., relating to a
287 study of service needs of the disabled adult population;
288 repealing s. 410.604(10), F.S.; deleting a requirement for
289 the Department of Children and Family Services to evaluate
290 the community care for disabled adults program; repealing

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291 s. 411.221, F.S., relating to prevention and early
292 assistance; repealing s. 411.242, F.S., relating to the
293 Florida Education Now and Babies Later program; repealing
294 s. 414.1251(3), F.S.; deleting a provision relating to an
295 electronic data transfer system for the learnfare program;
296 amending s. 414.14, F.S.; deleting a provision relating to
297 a report by the secretary of the Department of Children
298 and Family Services on public assistance policy
299 simplification; repealing s. 414.36(1), F.S.; deleting a
300 provision relating to a plan for privatization of recovery
301 of public assistance overpayment claims; repealing s.
302 414.391(3), F.S.; deleting provisions relating to a plan
303 for automated fingerprint imaging; amending s. 415.1045,
304 F.S.; deleting a requirement for a study by the Office of
305 Program Policy Analysis and Government Accountability on
306 documentation of exploitation, abuse, or neglect; amending
307 s. 415.111, F.S.; deleting the requirement for a report by
308 the Department of Children and Family Services on
309 exploitation, abuse, or neglect; amending s. 420.622,
310 F.S.; revising requirements relating to a report by the
311 State Council on Homelessness; repealing s. 420.623(4),
312 F.S.; deleting a requirement for a report by the
313 Department of Community Affairs on homelessness; amending
314 s. 427.704, F.S.; revising requirements relating to a
315 report by the Public Service Commission on a
316 telecommunications access system; amending s. 427.706,
317 F.S.; revising requirements relating to a report by the
318 advisory committee on telecommunications access; amending
319 s. 429.07, F.S.; deleting provisions relating to a report

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320 by the Department of Elderly Affairs on extended
321 congregate care facilities; repealing s. 429.08(2), F.S.;
322 deleting a provision relating to local workgroups of field
323 offices of the Agency for Health Care Administration;
324 amending s. 429.41, F.S.; deleting provisions relating to
325 a report concerning standards for assisted living
326 facilities; amending s. 430.04, F.S.; revising duties of
327 the Department of Elderly Affairs with respect to certain
328 reports and recommendations; amending s. 430.502, F.S.;
329 revising requirements with respect to reports by the
330 Alzheimer's Disease Advisory Committee; amending s.
331 445.003, F.S.; revising reporting requirements relating to
332 Workforce Florida, Inc.; amending s. 445.006, F.S.;
333 deleting provisions relating to a strategic plan for
334 workforce development; repealing s. 445.022(4), F.S.;
335 deleting a requirement for reports by regional workforce
336 boards on retention incentives; amending s. 446.50, F.S.;
337 deleting provisions relating to a state plan for displaced
338 homemakers; repealing s. 455.204, F.S., relating to long-
339 range policy planning in the Department of Business and
340 Professional Regulation; repealing s. 455.2226(8), F.S.;
341 deleting a requirement for a report by the Board of
342 Funeral Directors and Embalmers; repealing s. 455.2228(6),
343 F.S.; deleting a requirement for reports by the Barbers'
344 Board and the Board of Cosmetology; amending s. 456.005,
345 F.S.; revising requirements relating to long-range
346 planning by professional boards; amending s. 456.025,
347 F.S.; revising requirements relating to a report to
348 professional boards by the Department of Health; repealing

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349 s. 456.034(6), F.S.; deleting provisions relating to
350 reports by professional boards about HIV and AIDS;
351 amending s. 517.302, F.S.; deleting a requirement for a
352 report by the Office of Financial Regulation on deposits
353 into the Anti-Fraud Trust Fund; repealing s. 531.415(3),
354 F.S.; deleting the requirement for a report by the
355 Department of Agriculture and Consumer Services on fees;
356 repealing s. 553.975, F.S., relating to a report to the
357 Governor and Legislature by the Public Service Commission;
358 repealing s. 570.0705(3), F.S.; deleting the requirement
359 for a report by the Commissioner of Agriculture concerning
360 advisory committees; repealing s. 570.0725(5), F.S.;
361 deleting provisions relating to a report by the Department
362 of Agriculture and Consumer Services concerning support
363 for food recovery programs; repealing s. 570.543(3), F.S.;
364 deleting provisions relating to legislative
365 recommendations of the Florida Consumers' Council;
366 amending s. 603.204, F.S.; revising requirements relating
367 to the South Florida Tropical Fruit Plan; amending s.
368 627.64872, F.S.; deleting provisions relating to an
369 interim report by the board of directors of the Florida
370 Health Insurance Plan; prohibiting the board from acting
371 to implement the plan until certain funds are
372 appropriated; amending s. 744.708, F.S.; revising
373 provisions relating to audits of public guardian offices
374 and to reports concerning those offices; repealing s.
375 765.5215(3), F.S.; deleting a requirement for a report by
376 the Agency for Health Care Administration concerning organ
377 donation; amending s. 768.295, F.S.; revising duties of

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378 the Attorney General relating to reports concerning
379 "SLAPP" lawsuits; amending s. 775.084, F.S.; deleting
380 provisions relating to sentencing of violent career
381 criminals and to reports of judicial actions with respect
382 thereto; amending s. 790.22, F.S.; deleting provisions
383 relating to reports by the Department of Juvenile Justice
384 concerning certain juvenile offenses that involve weapons;
385 amending s. 943.125, F.S.; deleting provisions relating to
386 reports by the Florida Sheriffs Association and the
387 Florida Police Chiefs Association concerning law
388 enforcement agency accreditation; amending s. 943.68,
389 F.S.; revising requirements relating to reports by the
390 Department of Law Enforcement concerning transportation
391 and protective services; amending s. 944.023, F.S.;

392 deleting provisions relating to the comprehensive
393 correctional master plan; amending s. 944.801, F.S.;

394 deleting a requirement to deliver to specified officials
395 copies of certain reports concerning education of state
396 prisoners; repealing s. 945.35(10), F.S.; deleting a
397 requirement for a report by the Department of Corrections
398 concerning HIV and AIDS education; repealing s.
399 948.10(8)(d), F.S.; deleting a requirement for a report by
400 the Department of Corrections about placement of
401 ineligible offenders on community control; repealing s.
402 958.045(9), F.S.; deleting provisions relating to a report
403 by the department concerning youthful offenders; amending
404 s. 960.045, F.S.; revising requirements relating to
405 reports by the Department of Legal Affairs with respect to
406 victims of crimes; repealing s. 985.02(8)(c), F.S.;

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407 deleting the requirement of a study by the Office of
408 Program Policy Analysis and Government Accountability on
409 programs for young females within the Department of
410 Juvenile Justice; amending s. 985.047, F.S.; deleting
411 provisions relating to a plan by a multiagency task force
412 on information systems related to delinquency; amending s.
413 985.47, F.S.; deleting provisions relating to a report on
414 serious or habitual juvenile offenders; amending s.
415 985.483, F.S.; deleting provisions relating to a report on
416 intensive residential treatment for offenders under 13
417 years of age; repealing s. 985.61(5), F.S.; deleting
418 provisions relating to a report by the Department of
419 Juvenile Justice on early delinquency intervention;
420 amending s. 985.622, F.S.; deleting provisions relating to
421 submission of the multiagency plan for vocational
422 education; repealing s. 985.632(7), F.S.; deleting
423 provisions relating to a report by the Department of
424 Corrections on quality assurance in contractual
425 procurements; repealing s. 1002.34(19), F.S.; deleting
426 provisions relating to an evaluation and report by the
427 Commissioner of Education concerning charter technical
428 career centers; repealing s. 1003.61(4), F.S.; deleting
429 provisions relating to evaluation of a pilot attendance
430 project in Manatee County; amending s. 1004.22, F.S.;
431 deleting provisions relating to university reports
432 concerning sponsored research; repealing s. 1004.50(6),
433 F.S.; deleting a requirement for a report by the Governor
434 concerning unmet needs in urban communities; repealing s.
435 1004.94(2) and (4), F.S.; deleting provisions relating to

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436 guidelines for and a report on plans for a state adult
437 literacy program; amending s. 1004.95, F.S.; revising
438 requirements relating to implementing provisions for adult
439 literacy centers; repealing s. 1006.0605, F.S., relating
440 to students' summer nutrition; repealing s. 1006.67, F.S.,
441 relating to a report of campus crime statistics; amending
442 s. 1009.70, F.S.; deleting provisions relating to a report
443 on a minority law school scholarship program; amending s.
444 1011.32, F.S.; requiring the Governor to be given a copy
445 of a report related to the Community College Facility
446 Enhancement Challenge Grant Program; amending s. 1011.62,
447 F.S.; deleting provisions relating to recommendations for
448 implementing the extended-school-year program; repealing
449 s. 1012.05(2)(1), F.S.; deleting provisions relating to a
450 plan concerning teacher recruitment and retention;
451 amending s. 1012.42, F.S.; deleting provisions relating to
452 a plan of assistance for teachers teaching out-of-field;
453 amending s. 1013.11, F.S.; deleting provisions relating to
454 transmittal of a report on physical plant safety; amending
455 ss. 163.065, 163.2511, 163.2514, 163.3202, 259.041,
456 259.101, 369.305, 370.12, 381.732, 381.733, 411.01,
457 411.232, 445.006, F.S., conforming cross-references to
458 changes made by the act; providing an effective date.

459
460 Be It Enacted by the Legislature of the State of Florida:

461
462 Section 1. Section 14.25, Florida Statutes, is repealed.

463 Section 2. Subsection (3) of section 14.26, Florida
464 Statutes, is amended to read:

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465 14.26 Citizen's Assistance Office.--

466 (3) The Citizen's Assistance Office shall report ~~make~~
467 ~~quarterly reports~~ to the Governor on, ~~which shall include:~~

468 (a) The number of complaints and investigations ~~and~~
469 ~~complaints made during the preceding quarter~~ and the disposition
470 of such investigations.

471 ~~(b) Recommendations in the form of suggested legislation or~~
472 ~~suggested procedures for the alleviation of problems disclosed by~~
473 ~~investigations.~~

474 ~~(b)(c) A report including statistics which reflect~~ The
475 types of complaints made and an assessment as to the cause of the
476 complaints.

477 (c) Recommendations for the alleviation of the cause of
478 complaints disclosed by investigations.

479 (d) Such other information as the Executive Office of the
480 Governor shall require.

481 Section 3. Section 14.27, Florida Statutes, is repealed.

482 Section 4. Section 16.58, Florida Statutes, is repealed.

483 Section 5. Subsection (1) of section 17.32, Florida
484 Statutes, is amended to read:

485 17.32 Annual report of trust funds; duties of Chief
486 Financial Officer.--

487 (1) On February 1 of each year, the Chief Financial Officer
488 shall present to the Governor and the Legislature ~~President of~~
489 ~~the Senate and the Speaker of the House of Representatives~~ a
490 report listing all trust funds as defined in s. 215.32. The
491 report must ~~shall~~ contain the following data elements for each
492 fund for the preceding fiscal year:

493 (a) The fund code.

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- 494 (b) The title.
- 495 (c) The fund type according to generally accepted
496 accounting principles.
- 497 (d) The statutory authority.
- 498 (e) The beginning cash balance.
- 499 (f) Direct revenues.
- 500 (g) Nonoperating revenues.
- 501 (h) Operating disbursements.
- 502 (i) Nonoperating disbursements.
- 503 (j) The ending cash balance.
- 504 (k) The department and budget entity in which the fund is
505 located.

506 Section 6. Subsection (1) of section 17.325, Florida
507 Statutes, is amended to read:

508 17.325 Governmental efficiency hotline; duties of Chief
509 Financial Officer.--

510 (1) The Chief Financial Officer shall establish and operate
511 a statewide toll-free telephone hotline to receive information or
512 suggestions from the citizens of this state on how to improve the
513 operation of government, increase governmental efficiency, and
514 eliminate waste in government. ~~The Chief Financial Officer shall
515 report each month to the appropriations committee of the House of
516 Representatives and of the Senate the information or suggestions
517 received through the hotline and the evaluations and
518 determinations made by the affected agency, as provided in
519 subsection (3), with respect to such information or suggestions.~~

520 Section 7. Section 20.057, Florida Statutes, is amended to
521 read:

522 20.057 Interagency agreements to delete duplication of

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523 inspections.--

524 (1) The Governor shall direct any department, the head of
525 which is an officer or board appointed by and serving at the
526 pleasure of the Governor, to enter into an interagency agreement
527 to ~~that will~~ eliminate duplication of inspections among ~~the~~
528 departments that inspect the same type of facility or structure.
529 Parties to the agreement may include departments that ~~which~~ are
530 headed by a Cabinet officer, the Governor and Cabinet, or a
531 collegial body. The agreement shall:

532 (a) Authorize agents of one department to conduct
533 inspections required to be performed by another department.

534 (b) Specify that agents of the department conducting the
535 inspection have all powers relative to the inspection as the
536 agents of the department on whose behalf the inspection is being
537 conducted.

538 (c) Require that agents of the department conducting the
539 inspection have sufficient knowledge of statutory and
540 administrative inspection requirements to conduct a proper
541 inspection.

542 (d) Specify that the departments that enter ~~which have~~
543 ~~entered~~ into the agreement may not ~~neither~~ charge or ~~nor~~ accept
544 ~~any~~ funds with respect to duties performed under the agreement
545 which are in excess of the direct costs of conducting the ~~such~~
546 inspections.

547 (2) Before taking effect, an agreement entered into under
548 this section must be approved by the Governor. Inspections
549 conducted under an agreement shall be deemed sufficient for
550 enforcement purposes pursuant to the agreement or as otherwise
551 provided by law.

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552 ~~(2) No later than 60 days prior to the beginning of the~~
553 ~~regular session, the Governor shall make an annual report to the~~
554 ~~President of the Senate and the Speaker of the House of~~
555 ~~Representatives regarding interagency agreements. The report~~
556 ~~shall identify each interagency agreement entered into under this~~
557 ~~section, and, for each agreement, shall describe the duplication~~
558 ~~eliminated, provide data that measures the effectiveness of~~
559 ~~inspections conducted under the interagency agreement, and~~
560 ~~estimate the cost savings that have resulted from the agreement.~~
561 ~~The report shall also describe obstacles encountered by any~~
562 ~~department in attempting to develop an interagency agreement and~~
563 ~~in performing duties resulting from an interagency agreement and~~
564 ~~shall recommend appropriate remedial legislative action.~~

565 Section 8. Subsection (1) and paragraph (c) of subsection
566 (5) of section 20.19, Florida Statutes, are amended to read:

567 20.19 Department of Children and Family Services.--There is
568 created a Department of Children and Family Services.

569 (1) MISSION ~~AND PURPOSE~~.--

570 ~~(a)~~ The mission of the Department of Children and Family
571 Services is to protect vulnerable children and adults, strengthen
572 families, and support individuals and families in achieving
573 personal and economic self-sufficiency ~~work in partnership with~~
574 ~~local communities to ensure the safety, well-being, and self-~~
575 ~~sufficiency of the people served.~~

576 ~~(b)~~ ~~The department shall develop a strategic plan for~~
577 ~~fulfilling its mission and establish a set of measurable goals,~~
578 ~~objectives, performance standards, and quality assurance~~
579 ~~requirements to ensure that the department is accountable to the~~
580 ~~people of Florida.~~

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581 ~~(c) To the extent allowed by law and within specific~~
582 ~~appropriations, the department shall deliver services by contract~~
583 ~~through private providers.~~

584 (5) SERVICE DISTRICTS.--

585 ~~(c) Each fiscal year the secretary shall, in consultation~~
586 ~~with the relevant employee representatives, develop projections~~
587 ~~of the number of child abuse and neglect cases and shall include~~
588 ~~in the department's legislative budget request a specific~~
589 ~~appropriation for funds and positions for the next fiscal year in~~
590 ~~order to provide an adequate number of full-time equivalent:~~

591 ~~1. Child protection investigation workers so that caseloads~~
592 ~~do not exceed the Child Welfare League Standards by more than two~~
593 ~~cases; and~~

594 ~~2. Child protection case workers so that caseloads do not~~
595 ~~exceed the Child Welfare League Standards by more than two cases.~~

596 Section 9. Paragraphs (e), (f), and (g) of subsection (4)
597 of section 20.316, Florida Statutes, are repealed.

598 Section 10. Paragraph (1) of subsection (1) of section
599 20.43, Florida Statutes, is amended to read:

600 20.43 Department of Health.--There is created a Department
601 of Health.

602 (1) The purpose of the Department of Health is to promote
603 and protect the health of all residents and visitors in the state
604 through organized state and community efforts, including
605 cooperative agreements with counties. The department shall:

606 (1) Include in the department's long-range program
607 ~~strategie~~ plan developed under s. 186.021 an assessment of
608 current health programs, systems, and costs; projections of
609 future problems and opportunities; and recommended changes that

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610 are needed in the health care system to improve the public
611 health.

612 Section 11. Paragraph (d) of subsection (3) of section
613 39.3065, Florida Statutes, is repealed.

614 Section 12. Paragraph (h) of subsection (2) of section
615 39.4086, Florida Statutes, is amended to read:

616 39.4086 Pilot program for attorneys ad litem for dependent
617 children.--

618 (2) RESPONSIBILITIES.--

619 (h) The Statewide Guardian Ad Litem Office ~~of the State~~
620 ~~Courts Administrator~~ shall conduct research and gather
621 statistical information to evaluate the establishment, operation,
622 and impact of the pilot program in meeting the legal needs of
623 dependent children. In assessing the effects of the pilot
624 program, including achievement of outcomes identified under
625 paragraph (b), the evaluation must include a comparison of
626 children within the Ninth Judicial Circuit who are appointed an
627 attorney ad litem with those who are not. ~~The office shall submit~~
628 ~~a report to the Legislature and the Governor by October 1, 2001,~~
629 ~~and by October 1, 2002, regarding its findings. The office shall~~
630 ~~submit a final report by October 1, 2003, which must include an~~
631 ~~evaluation of the pilot program; findings on the feasibility of a~~
632 ~~statewide program; and recommendations, if any, for locating,~~
633 ~~establishing, and operating a statewide program.~~

634 Section 13. Subsection (5) of section 39.523, Florida
635 Statutes, is repealed.

636 Section 14. Subsections (1) and (3) of section 98.255,
637 Florida Statutes, are amended to read:

638 98.255 Voter education programs.--

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639 (1) ~~By March 1, 2002,~~ The Department of State shall adopt
640 rules prescribing minimum standards for nonpartisan voter
641 education. ~~In developing the rules, the department shall review~~
642 ~~current voter education programs within each county of the state.~~
643 The standards shall, at a minimum, address, ~~but are not limited~~
644 ~~to, the following subjects:~~

- 645 (a) Voter registration;
646 (b) Balloting procedures, absentee and polling place;
647 (c) Voter rights and responsibilities;
648 (d) Distribution of sample ballots; and
649 (e) Public service announcements.

650 (3) ~~(a)~~ By December 15 of each general election year, each
651 supervisor of elections shall report to the Department of State a
652 detailed description of the voter education programs implemented
653 and any other information that may be useful in evaluating the
654 effectiveness of voter education efforts.

655 ~~(b) The Department of State, upon receipt of such~~
656 ~~information, shall prepare a public report on the effectiveness~~
657 ~~of voter education programs and shall submit the report to the~~
658 ~~Governor, the President of the Senate, and the Speaker of the~~
659 ~~House of Representatives by January 31 of each year following a~~
660 ~~general election.~~

661 ~~(c)~~ The department ~~of State~~ shall reexamine the rules
662 adopted pursuant to subsection (1) and use ~~consider~~ the findings
663 in these reports ~~the report~~ as a basis for modifying the ~~adopting~~
664 ~~modified~~ rules to ~~that~~ incorporate successful voter education
665 programs and techniques, as necessary.

666 Section 15. Paragraph (a) of subsection (7) of section
667 110.1227, Florida Statutes, is amended to read:

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668 110.1227 Florida Employee Long-Term-Care Plan Act.--

669 (7) The board of directors of the Florida Long-Term-Care
670 Plan shall:

671 (a) Upon implementation, prepare an annual report of the
672 plan, with the assistance of an actuarial consultant, to be
673 submitted to the ~~Speaker of the House of Representatives, the~~
674 ~~President of the Senate, the Governor,~~ and the Legislature the
675 ~~Minority Leaders of the Senate and the House of Representatives.~~

676 Section 16. Subsection (9) of section 120.542, Florida
677 Statutes, is amended to read:

678 120.542 Variances and waivers.--

679 (9) Each agency shall maintain a record of the type and
680 disposition of each petition, including temporary or emergency
681 variances and waivers, filed pursuant to this section. ~~On October~~
682 ~~1 of each year, each agency shall file a report with the~~
683 ~~Governor, the President of the Senate, and the Speaker of the~~
684 ~~House of Representatives listing the number of petitions filed~~
685 ~~requesting variances to each agency rule, the number of petitions~~
686 ~~filed requesting waivers to each agency rule, and the disposition~~
687 ~~of all petitions. Temporary or emergency variances and waivers,~~
688 ~~and the reasons for granting or denying temporary or emergency~~
689 ~~variances and waivers, shall be identified separately from other~~
690 ~~waivers and variances.~~

691 Section 17. Subsection (3) of section 120.60, Florida
692 Statutes, is amended to read:

693 120.60 Licensing.--

694 (3) Each applicant shall be given written notice either
695 personally or by mail that the agency intends to grant or deny,
696 or has granted or denied, the application for license. The notice

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697 must state with particularity the grounds or basis for the
698 issuance or denial of the license, except when issuance is a
699 ministerial act. Unless waived, a copy of the notice must ~~shall~~
700 be delivered or mailed to each party's attorney of record and to
701 each person who has requested notice of agency action. Each
702 notice must ~~shall~~ inform the recipient of the basis for the
703 agency decision, ~~shall~~ inform the recipient of any administrative
704 hearing pursuant to ss. 120.569 and 120.57 or judicial review
705 pursuant to s. 120.68 which may be available, ~~shall~~ indicate the
706 procedure that ~~which~~ must be followed, and ~~shall~~ state the
707 applicable time limits. The issuing agency shall certify the date
708 the notice was mailed or delivered, ~~and the notice and the~~
709 ~~certification shall be filed with the agency clerk.~~

710 Section 18. Subsection (2) of section 120.695, Florida
711 Statutes, is amended to read:

712 120.695 Notice of noncompliance.--

713 (2) (a) Each agency shall issue a notice of noncompliance as
714 a first response to a minor violation of a rule. A "notice of
715 noncompliance" is a notification by the agency charged with
716 enforcing the rule issued to the person or business subject to
717 the rule. A notice of noncompliance may not be accompanied with
718 a fine or other disciplinary penalty. It must identify the
719 specific rule that is being violated, provide information on how
720 to comply with the rule, and specify a reasonable time for the
721 violator to comply with the rule. ~~A rule is agency action that~~
722 ~~regulates a business, occupation, or profession, or regulates a~~
723 ~~person operating a business, occupation, or profession, and that,~~
724 ~~if not complied with, may result in a disciplinary penalty.~~

725 (b) Each agency shall ~~review all of its rules and~~ designate

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726 those rules for which a violation would be a minor violation and
727 for which a notice of noncompliance must be the first enforcement
728 action taken against a person or business subject to regulation.
729 A violation of a rule is a minor violation if it does not result
730 in economic or physical harm to a person or adversely affect the
731 public health, safety, or welfare or create a significant threat
732 of such harm. If an agency under the direction of a cabinet
733 officer mails to each licensee a notice of the designated rules
734 at the time of licensure and at least annually thereafter, the
735 provisions of paragraph (a) may be exercised at the discretion of
736 the agency. Such notice shall include a subject-matter index of
737 the rules and information on how the rules may be obtained.

738 ~~(c) The agency's review and designation must be completed~~
739 ~~by December 1, 1995; each agency under the direction of the~~
740 ~~Governor shall make a report to the Governor, and each agency~~
741 ~~under the joint direction of the Governor and Cabinet shall~~
742 ~~report to the Governor and Cabinet by January 1, 1996, on which~~
743 ~~of its rules have been designated as rules the violation of which~~
744 ~~would be a minor violation.~~

745 ~~(c)(d)~~ The Governor or the Governor and Cabinet, as
746 appropriate pursuant to paragraph ~~(c)~~, may evaluate the rule
747 ~~review and~~ designation effects of each agency and may apply a
748 different designation than that applied by the agency.

749 ~~(3)(e)~~ This section does not apply to the regulation of law
750 enforcement personnel or teachers.

751 ~~(4)(f)~~ Rule designation pursuant to this section is not
752 subject to challenge under this chapter.

753 Section 19. Subsection (3) of section 121.45, Florida
754 Statutes, is amended to read:

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755 121.45 Interstate compacts relating to pension
756 portability.--

757 (3) ESTABLISHMENT OF COMPACTS.--

758 (a) The Department of Management Services is authorized and
759 directed to survey other state retirement systems to determine if
760 such retirement systems are interested in developing an
761 interstate compact with Florida.

762 (b) If another ~~any such~~ state is interested in pursuing the
763 matter, the department shall confer with the other state, and the
764 consulting actuaries of both states, and ~~shall present its~~
765 ~~findings to the committees having jurisdiction over retirement~~
766 ~~matters in the Legislature, and to~~ representatives of affected
767 certified bargaining units, ~~in order to determine the feasibility~~
768 ~~of developing a portability compact, what groups should be~~
769 ~~covered, and the goals and priorities which should guide such~~
770 ~~development.~~

771 (c) Upon a determination that ~~such~~ a compact is feasible
772 and ~~upon request of the Legislature, the department, together~~
773 ~~with its consulting actuaries, shall, in accordance with said~~
774 ~~goals and priorities,~~ develop a proposal under which retirement
775 credit may be transferred to or from Florida in an actuarially
776 sound manner which shall be presented to the Governor and the
777 Legislature for consideration.

778 ~~(d) Once a proposal has been developed, the department~~
779 ~~shall contract with its consulting actuaries to conduct an~~
780 ~~actuarial study of the proposal to determine the cost to the~~
781 ~~Florida Retirement System Trust Fund and the State of Florida.~~

782 ~~(e) After the actuarial study has been completed, the~~
783 ~~department shall present its findings and the actuarial study to~~

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784 ~~the Legislature for consideration. If either house of the~~
785 ~~Legislature elects to enter into such a compact, it shall be~~
786 ~~introduced in the form of a proposed committee bill to the full~~
787 ~~Legislature during the same or next regular session.~~

788 Section 20. Section 153.952, Florida Statutes, is repealed.

789 Section 21. Subsections (3) through (22) of section
790 161.053, Florida Statutes, are amended to read:

791 161.053 Coastal construction and excavation; regulation on
792 county basis.--

793 ~~(3) It is the intent of the Legislature that any coastal~~
794 ~~construction control line that has not been updated since June~~
795 ~~30, 1980, shall be considered a critical priority for~~
796 ~~reestablishment by the department. In keeping with this intent,~~
797 ~~the department shall notify the Legislature if all such lines~~
798 ~~cannot be reestablished by December 31, 1997, so that the~~
799 ~~Legislature may subsequently consider interim lines of~~
800 ~~jurisdiction for the remaining counties.~~

801 (3)(4) A Any coastal county or coastal municipality may
802 establish coastal construction zoning and building codes in lieu
803 of the provisions of this section if, ~~provided~~ such zones and
804 codes are approved by the department as being adequate to
805 preserve and protect the beaches and coastal barrier dunes
806 adjacent to such beaches, which are under the jurisdiction of the
807 department, from imprudent construction that will jeopardize the
808 stability of the beach-dune system, accelerate erosion, provide
809 inadequate protection to upland structures, endanger adjacent
810 properties, or interfere with public beach access. Exceptions to
811 locally established coastal construction zoning and building
812 codes may ~~shall~~ not be granted unless previously approved by the

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813 department. ~~It is~~ The intent of this subsection is to provide for
814 the local administration of established coastal construction
815 control lines through approved zoning and building codes if where
816 desired by local interests and where such local interests have,
817 in the judgment of the department, sufficient funds and personnel
818 to adequately administer the program. Should the department
819 determine at any time that the program is inadequately
820 administered, the department may ~~shall have authority to~~ revoke
821 the authority granted to the county or municipality.

822 (4)~~(5)~~ Except in those areas where local zoning and
823 building codes have been established pursuant to subsection (3)
824 ~~(4)~~, a permit to alter, excavate, or construct on property
825 seaward of established coastal construction control lines may be
826 granted by the department as follows:

827 (a) The department may authorize an excavation or erection
828 of a structure at any coastal location as described in subsection
829 (1) upon receipt of an application from a property or ~~and/or~~
830 riparian owner and upon the consideration of facts and
831 circumstances, including:

832 1. Adequate engineering data concerning shoreline stability
833 and storm tides related to shoreline topography;

834 2. Design features of the proposed structures or
835 activities; and

836 3. Potential effects ~~impacts~~ of the location of the ~~such~~
837 structures or activities, including potential cumulative effects
838 of ~~any~~ proposed structures or activities upon the ~~such~~ beach-dune
839 system, which, in the opinion of the department, clearly justify
840 ~~such~~ a permit.

841 (b) If in the immediate contiguous or adjacent area a

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842 number of existing structures have established a reasonably
843 continuous and uniform construction line closer to the line of
844 mean high water than the foregoing, and if the existing
845 structures have not been unduly affected by erosion, a proposed
846 structure may, ~~at the discretion of the department,~~ be permitted
847 along such line on written authorization from the department if
848 the ~~such~~ structure is also approved by the department. However,
849 the department may ~~shall~~ not contravene setback requirements or
850 zoning or building codes established by a county or municipality
851 which are equal to, or more strict than, the ~~those~~ requirements
852 provided herein. This paragraph does not prohibit the department
853 from requiring structures to meet design and siting criteria
854 established in paragraph (a) or in subsection (1) or subsection
855 (2).

856 (c) The department may condition the nature, timing, and
857 sequence of construction of permitted activities to provide
858 protection to nesting sea turtles and hatchlings and their
859 habitat, pursuant to s. 370.12, and to native salt-resistant
860 vegetation and endangered plant communities.

861 (d) The department may require ~~such~~ engineer certifications
862 as necessary to ensure ~~assure~~ the adequacy of the design and
863 construction of permitted projects.

864 (e) The department shall limit the construction of
865 structures that ~~which~~ interfere with public access along the
866 beach. However, the department may require, as a condition of of ~~to~~
867 granting permits, the provision of alternative access if ~~when~~
868 interference with public access along the beach is unavoidable.
869 The width of the ~~such~~ alternate access may not be required to
870 exceed the width of the access that will be obstructed ~~as a~~

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871 | ~~result of the permit being granted.~~

872 | (f) The department may, as a condition of ~~to the~~ granting
873 | ~~of~~ a permit ~~under this section~~, require mitigation, financial, or
874 | other assurances acceptable to the department ~~as may be necessary~~
875 | to ensure ~~assure~~ performance of conditions of a permit or enter
876 | into contractual agreements to best assure compliance with any
877 | permit conditions. The department may also require notice of the
878 | permit conditions required and the contractual agreements entered
879 | into ~~pursuant to the provisions of this subsection~~ to be filed in
880 | the public records of the county in which the permitted activity
881 | is located.

882 | (5) (a) ~~(6) (a)~~ As used in this subsection, the term:

883 | 1. "Frontal dune" means the first natural or manmade mound
884 | or bluff of sand ~~which is~~ located landward of the beach and which
885 | has sufficient vegetation, height, continuity, and configuration
886 | to offer protective value.

887 | 2. "Seasonal high-water line" means the line formed by the
888 | intersection of the rising shore and the elevation of 150 percent
889 | of the local mean tidal range above local mean high water.

890 | (b) ~~After October 1, 1985,~~ and Notwithstanding any other
891 | provision of this part, the department, or a local government to
892 | which the department has delegated permitting authority pursuant
893 | to subsections (3) ~~(4)~~ and (15) ~~(16)~~, may ~~shall~~ not issue a ~~any~~
894 | permit for any structure, other than a coastal or shore
895 | protection structure, minor structure, or pier, meeting the
896 | requirements of this part, or other than intake and discharge
897 | structures for a facility sited pursuant to part II of chapter
898 | 403, which is proposed for a location which, based on the
899 | department's projections of erosion in the area, will be seaward

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900 of the seasonal high-water line within 30 years after the date of
901 application for the ~~such~~ permit. The procedures for determining
902 such erosion shall be established by rule. In determining the
903 area that ~~which~~ will be seaward of the seasonal high-water line
904 in 30 years, the department may ~~shall~~ not include any areas
905 landward of a coastal construction control line.

906 (c) Where the application of paragraph (b) would preclude
907 the construction of a structure, the department may issue a
908 permit for a single-family dwelling for the parcel if ~~so long as~~:

909 1. The parcel ~~for which the single-family dwelling is~~
910 ~~proposed~~ was platted or subdivided by metes and bounds before the
911 effective date of this section;

912 2. The owner of the parcel ~~for which the single-family~~
913 ~~dwelling is proposed~~ does not own another parcel immediately
914 adjacent to and landward of the parcel for which the dwelling is
915 proposed;

916 3. The proposed single-family dwelling is located landward
917 of the frontal dune structure; and

918 4. The proposed single-family dwelling will be as far
919 landward on its parcel as is practicable without being located
920 seaward of or on the frontal dune.

921 (d) In determining the land areas that ~~which~~ will be below
922 the seasonal high-water line within 30 years after the permit
923 application date, the department shall consider the effect ~~impact~~
924 on ~~the~~ erosion rates of an existing beach nourishment or
925 restoration project or of a beach nourishment or restoration
926 project for which all funding arrangements have been made and all
927 permits have been issued at the time the application is
928 submitted. The department shall consider each year there is sand

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929 seaward of the erosion control line whether ~~that no~~ erosion took
930 place that year. However, the seaward extent of the beach
931 nourishment or restoration project beyond the erosion control
932 line may ~~shall~~ not be considered in determining the applicable
933 erosion rates. ~~Nothing in~~ This subsection does not ~~shall~~ prohibit
934 the department from requiring structures to meet the criteria
935 established in subsection (1), subsection (2), or subsection (4)
936 ~~(5)~~ or to be further landward than required by this subsection
937 based on the criteria established in subsection (1), subsection
938 (2), or subsection (4) ~~(5)~~.

939 (e) The department shall annually report to the Legislature
940 the status of this program, including any changes to the
941 previously adopted procedures for determining erosion
942 projections.

943 (6) ~~(7)~~ Any coastal structure erected, or excavation
944 created, in violation of ~~the provisions of~~ this section is ~~hereby~~
945 declared to be a public nuisance, and such structure shall be
946 ~~forthwith~~ removed or such excavation shall be ~~forthwith~~ refilled
947 after written notice by the department directing such removal or
948 filling. If ~~In the event~~ the structure is not removed or the
949 excavation refilled within a reasonable time as directed, the
950 department may remove such structure or fill such excavation at
951 its own expense, and the costs thereof shall become a lien on
952 ~~upon~~ the property of the upland owner upon which the ~~such~~
953 unauthorized structure or excavation is located.

954 (7) ~~(8)~~ Any person, firm, corporation, or agent thereof who
955 violates this section commits ~~is guilty of~~ a misdemeanor of the
956 first degree, punishable as provided in s. 775.082 or s.
957 775.083, ~~+~~ except that a person driving a ~~any~~ vehicle on, over, or

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958 across a ~~any~~ sand dune and damaging or causing to be damaged such
959 sand dune or the vegetation growing thereon in violation of this
960 section commits ~~is guilty of~~ a misdemeanor of the second degree,
961 punishable as provided in s. 775.082 or s. 775.083. A person,
962 firm, corporation, or agent thereof commits ~~shall be deemed~~
963 ~~guilty of~~ a separate offense for each day during any portion of
964 which a ~~any~~ violation of this section is committed or continued.

965 (8) ~~(9)~~ The provisions of This section does ~~do~~ not apply to
966 structures intended for shore protection purposes which are
967 regulated by s. 161.041 or to structures existing or under
968 construction prior to the establishment of the coastal
969 construction control line as provided herein if the, ~~provided~~
970 ~~such~~ structures are ~~may not be~~ materially altered except as
971 provided in subsection (4) ~~(5)~~. Except for structures that have
972 been materially altered, structures ~~determined to be~~ under
973 construction at the time of the establishment or reestablishment
974 of the coastal construction control line are ~~shall be~~ exempt from
975 the provisions of this section. However, unless such an exemption
976 has been judicially confirmed to exist prior to April 10, 1992,
977 the exemption shall last only for a period of 3 years from ~~either~~
978 the date of the determination of the exemption or April 10, 1992,
979 whichever occurs later. The department may extend the exemption
980 period for structures that require longer periods for completion
981 if ~~of their construction, provided that~~ construction during the
982 initial exemption period is ~~has been~~ continuous. For purposes of
983 this subsection, "continuous" means following a reasonable
984 sequence of construction without significant or unreasonable
985 periods of work stoppage.

986 (9) ~~(10)~~ The department may by regulation exempt

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987 specifically described portions of the coastline from the
988 provisions of this section if, ~~when~~ in its judgment, such
989 portions of coastline because of their nature are not subject to
990 erosion of a substantially damaging effect to the public.

991 (10)~~(11)~~ Pending the establishment of coastal construction
992 control lines as provided herein, the provisions of s. 161.052
993 shall remain in force. However, upon the establishment of coastal
994 construction control lines, or the establishment of coastal
995 construction zoning and building codes as provided in subsection
996 (3) ~~(4)~~, the provisions of s. 161.052 shall be superseded by the
997 provisions of this section.

998 (11) (a)~~(12) (a)~~ The coastal construction control
999 requirements defined in subsection (1) and the requirements of
1000 the erosion projections pursuant to subsection (5) ~~(6)~~ do not
1001 apply to any modification, maintenance, or repair of ~~to~~ any
1002 existing structure within the limits of the existing foundation
1003 which does not require, involve, or include any additions to, or
1004 repair or modification of, the existing foundation of that
1005 structure. Specifically excluded from this exemption are seawalls
1006 or other rigid coastal or shore protection structures and any
1007 additions or enclosures added, constructed, or installed below
1008 the first dwelling floor or lowest deck of the existing
1009 structure.

1010 (b) Activities seaward of the coastal construction control
1011 line which are determined by the department not to cause a
1012 measurable interference with the natural functioning of the
1013 coastal system are exempt from the requirements of ~~in~~ subsection
1014 (4) ~~(5)~~.

1015 (c) The department may establish exemptions from the

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1016 requirements of this section for minor activities determined by
1017 the department not to have an adverse effect ~~impacts~~ on the
1018 coastal system. Examples of such activities include, but are not
1019 limited to:

1020 1. Boat moorings;

1021 2. Maintenance of existing beach/dune vegetation;

1022 3. The burial of seaweed, dead fish, whales, or other
1023 marine animals on the unvegetated beach;

1024 4. The removal of piers or other derelict structures from
1025 the unvegetated beach or seaward of mean high water;

1026 5. Temporary emergency vehicular access, provided the
1027 affected ~~any impacted~~ area is immediately restored;

1028 6. The removal of any existing structures or debris from
1029 the upland, provided there is no excavation or disturbance to the
1030 existing topography or to beach-dune ~~beach/dune~~ vegetation;

1031 7. Construction of a ~~any~~ new roof overhang extending no
1032 more than 4 feet beyond the confines of the existing foundation
1033 during modification, renovation, or reconstruction of a habitable
1034 structure within the confines of the existing foundation of that
1035 structure which does not include any additions to or modification
1036 of the existing foundation of that structure;

1037 8. Minor and temporary excavation for the purpose of
1038 repairs to existing subgrade residential service utilities (e.g.,
1039 water and sewer lines, septic tanks and drainfields, electrical
1040 and telephone cables, and gas lines), if ~~provided that~~ there is
1041 minimal disturbance and the ~~that~~ grade is restored with fill
1042 compatible in both coloration and grain size to the onsite
1043 material and any damaged or destroyed vegetation is restored
1044 using similar vegetation; and

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1045 9. Any other minor construction with impacts similar to the
1046 above activities.

1047 (12) (a) ~~(13) (a)~~ Notwithstanding the coastal construction
1048 control requirements defined in subsection (1) or the erosion
1049 projection determined pursuant to subsection (5) ~~(6)~~, the
1050 department may, ~~at its discretion~~, issue a permit for the repair
1051 or rebuilding within the confines of the original foundation of a
1052 major structure pursuant to ~~the provisions of~~ subsection (4) ~~(5)~~.
1053 Alternatively, the department may also, ~~at its discretion~~, issue
1054 a permit for a more landward relocation or rebuilding of a
1055 damaged or existing structure if such relocation or rebuilding
1056 would not cause further harm to the beach-dune system, and if, in
1057 the case of rebuilding, the ~~such~~ rebuilding complies with ~~the~~
1058 ~~provisions of~~ subsection (4) ~~(5)~~, and otherwise complies with ~~the~~
1059 ~~provisions of~~ this subsection.

1060 (b) ~~Under no circumstances shall~~ The department may not
1061 permit ~~such~~ repairs or rebuilding that expand the capacity of the
1062 original structure seaward of the 30-year erosion projection
1063 established pursuant to subsection (5) ~~(6)~~.

1064 (c) In reviewing applications for relocation or rebuilding,
1065 the department shall specifically consider changes in shoreline
1066 conditions, the availability of other relocation or rebuilding
1067 options, and the design adequacy of the project sought to be
1068 rebuilt.

1069 (d) Permits issued under this subsection are ~~shall~~ not be
1070 considered precedential as to the issuance of subsequent permits.

1071 (13) ~~(14)~~ Concurrent with the establishment of a coastal
1072 construction control line and the ongoing administration of this
1073 chapter, the secretary of the department shall make

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1074 recommendations to the Board of Trustees of the Internal
1075 Improvement Trust Fund concerning the purchase of the fee or any
1076 lesser interest in any lands seaward of the control line pursuant
1077 to the state's Save Our Coast, Conservation and Recreation Lands,
1078 or Outdoor Recreation Land acquisition programs; and, with
1079 respect to those control lines established pursuant to this
1080 section prior to June 14, 1978, the secretary may make such
1081 recommendations.

1082 (14)~~(15)~~ A coastal county or municipality fronting on the
1083 Gulf of Mexico, the Atlantic Ocean, or the Straits of Florida
1084 shall advise the department within 5 days after receipt of any
1085 permit application for construction or other activities proposed
1086 to be located seaward of the line established by the department
1087 pursuant to ~~the provisions of~~ this section. Within 5 days after
1088 receipt of such application, the county or municipality shall
1089 notify the applicant of the requirements for state permits.

1090 (15)~~(16)~~ In keeping with the intent of subsection (3) ~~(4)~~,
1091 ~~and at the discretion of the department,~~ authority for permitting
1092 certain types of activities that ~~which~~ have been defined by the
1093 department may be delegated by the department to a coastal county
1094 or coastal municipality. Such partial delegation shall be
1095 narrowly construed to those particular activities specifically
1096 named in the delegation and agreed to by the affected county or
1097 municipality, and the delegation may be revoked by the department
1098 at any time if it is determined that the delegation is improperly
1099 or inadequately administered.

1100 (16)~~(17)~~ The department may, at the request of a property
1101 owner, contract with the ~~such~~ property owner for an agreement, or
1102 modify an existing contractual agreement regulating development

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1103 activities landward of a coastal construction control line, if
1104 ~~provided that nothing within~~ the contractual agreement is
1105 consistent ~~shall be inconsistent~~ with the design and siting
1106 provisions of this section. ~~In no case shall~~ The contractual
1107 agreement may not bind either party for a period longer than 5
1108 years from its date of execution. Prior to beginning a ~~any~~
1109 construction activity covered by the agreement, the property
1110 owner must ~~shall~~ obtain the necessary authorization required by
1111 the agreement. The agreement may ~~shall~~ not authorize
1112 construction for:

1113 (a) Major habitable structures that ~~which would~~ require
1114 construction beyond the expiration of the agreement, unless such
1115 construction is above the completed foundation; or

1116 (b) Nonhabitable major structures or minor structures,
1117 unless such construction is ~~was~~ authorized at the same time as
1118 the habitable major structure.

1119 ~~(17)-(18)~~ The department may ~~is authorized to~~ grant areawide
1120 permits to local governments, other governmental agencies, and
1121 utility companies for special classes of activities in areas
1122 under their general jurisdiction or responsibility if, ~~so long as~~
1123 these activities, due to the type, size, or temporary nature of
1124 the activity, will not cause measurable interference with the
1125 natural functioning of the beach-dune ~~beach-dune~~ system or with
1126 marine turtles or their nesting sites. Such activities ~~shall~~
1127 include, but are not ~~be~~ limited to: road repairs, not including
1128 new construction; utility repairs and replacements, or other
1129 minor activities necessary to provide utility services; beach
1130 cleaning; and emergency response. The department may adopt rules
1131 to establish criteria and guidelines for ~~use by~~ permit

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1132 applicants. The department must ~~shall~~ require notice provisions
1133 appropriate to the type and nature of the activities for which
1134 the areawide permits are sought.

1135 ~~(18)-(19)~~ The department may ~~is authorized to~~ grant general
1136 permits for projects, including dune walkovers, decks, fences,
1137 landscaping, sidewalks, driveways, pool resurfacing, minor pool
1138 repairs, and other nonhabitable structures, if the ~~so long as~~
1139 ~~these~~ projects, due to their ~~the~~ type, size, or temporary nature
1140 ~~of the project~~, will not cause a measurable interference with the
1141 natural functioning of the beach-dune ~~beach-dune~~ system or with
1142 marine turtles or their nesting sites. ~~In no event shall~~
1143 Multifamily habitable structures do not qualify for general
1144 permits. However, single-family habitable structures that ~~which~~
1145 do not advance the line of existing construction and satisfy all
1146 siting and design requirements of this section may be eligible
1147 for a general permit ~~pursuant to this subsection~~. The department
1148 may adopt rules to establish criteria and guidelines for use by
1149 permit applicants.

1150 (a) Persons wishing to use the general permits must ~~set~~
1151 ~~forth in this subsection shall~~, at least 30 days before beginning
1152 any work, notify the department in writing on forms adopted by
1153 the department. The notice must ~~shall~~ include a description of
1154 the proposed project and supporting documents depicting the
1155 proposed project, its location, and other pertinent information
1156 as required by rule, to demonstrate that the proposed project
1157 qualifies for the requested general permit. Persons who
1158 undertake projects without proof of notice to the department, but
1159 whose projects would otherwise qualify for general permits, shall
1160 be considered to have ~~as being~~ undertaken a project without a

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1161 permit and are ~~shall be~~ subject to enforcement pursuant to s.
1162 161.121.

1163 (b) Persons wishing to use a general permit must provide
1164 notice as required by the applicable local building code where
1165 the project will be located. If a building code requires no
1166 notice, any person wishing to use a general permit must, at a
1167 minimum, post on the property at least 5 days prior to the
1168 commencement of construction a sign no smaller than 88 square
1169 inches, with letters no smaller than one-quarter inch, describing
1170 the project.

1171 (19) (a) ~~(20) (a)~~ The department may suspend or revoke the use
1172 of a general or areawide permit for good cause, including:
1173 submission of false or inaccurate information in the notification
1174 for use of a general or areawide permit; violation of law,
1175 department orders, or rules relating to permit conditions;
1176 deviation from the specified activity or project indicated or the
1177 conditions for undertaking the activity or project; refusal of
1178 lawful inspection; or any other act by ~~on~~ the permittee
1179 ~~permittee's part in using the general or areawide permit~~ which
1180 results or may result in harm or injury to human health or
1181 welfare, or which causes harm or injury to animal, plant, or
1182 aquatic life or to property.

1183 (b) The department shall have access to the permitted
1184 activity or project at reasonable times to inspect and determine
1185 compliance with the permit and department rules.

1186 (20) ~~(21)~~ The department may ~~is authorized to~~ adopt rules
1187 related to the ~~following provisions of this section:~~
1188 establishment of coastal construction control lines; activities
1189 seaward of the coastal construction control line; exemptions;

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1190 property owner agreements; delegation of the program; permitting
1191 programs; and violations and penalties.

1192 ~~(21)-(22)~~ In accordance with ss. 553.73 and 553.79, and upon
1193 the effective date of the Florida Building Code, the provisions
1194 of this section which pertain to and govern the design,
1195 construction, erection, alteration, modification, repair, and
1196 demolition of public and private buildings, structures, and
1197 facilities shall be incorporated into the Florida Building Code.
1198 The Florida Building Commission may ~~shall have the authority to~~
1199 adopt rules pursuant to ss. 120.536 and 120.54 ~~in order to~~
1200 administer ~~implement~~ those provisions. This subsection does not
1201 limit or abrogate the right and authority of the department to
1202 require permits or to adopt and enforce environmental standards,
1203 including, but not limited to, standards for ensuring the
1204 protection of the beach-dune system, proposed or existing
1205 structures, adjacent properties, marine turtles, native salt-
1206 resistant vegetation, endangered plant communities, and the
1207 preservation of public beach access.

1208 Section 22. Subsection (2) of section 161.161, Florida
1209 Statutes, is amended to read:

1210 161.161 Procedure for approval of projects.--

1211 (2) Annually ~~Upon approval of the beach management plan,~~
1212 the secretary shall present to the Legislature ~~President of the~~
1213 ~~Senate, the Speaker of the House of Representatives, and the~~
1214 ~~chairs of the legislative appropriations committees~~
1215 recommendations for funding ~~of~~ beach erosion control projects
1216 prioritized according to the. ~~Such recommendations shall be~~
1217 ~~presented to such members of the Legislature in the priority~~
1218 ~~order specified in the plan and established pursuant to criteria~~

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1219 established ~~contained~~ in s. 161.101(14).

1220 Section 23. Section 163.2526, Florida Statutes, is
1221 repealed.

1222 Section 24. Subsection (2) of section 163.3167, Florida
1223 Statutes, is amended to read:

1224 163.3167 Scope of act.--

1225 (2) Each local government shall prepare a comprehensive
1226 plan of the type and in the manner set out in this part ~~act~~ or
1227 shall prepare amendments to its existing comprehensive plan to
1228 conform it to the requirements of this part in the manner set out
1229 in this part. Each local government, in accordance with ~~the~~
1230 ~~procedures in~~ s. 163.3184, shall submit its complete proposed
1231 comprehensive plan or its complete comprehensive plan as proposed
1232 to be amended to the state land planning agency ~~by the date~~
1233 ~~specified in the rule adopted by the state land planning agency~~
1234 ~~pursuant to this subsection. The state land planning agency~~
1235 ~~shall, prior to October 1, 1987, adopt a schedule of local~~
1236 ~~governments required to submit complete proposed comprehensive~~
1237 ~~plans or comprehensive plans as proposed to be amended. Such~~
1238 ~~schedule shall specify the exact date of submission for each~~
1239 ~~local government, shall establish equal, staggered submission~~
1240 ~~dates, and shall be consistent with the following time periods:~~

1241 ~~(a) Beginning on July 1, 1988, and on or before July 1,~~
1242 ~~1990, each county that is required to include a coastal~~
1243 ~~management element in its comprehensive plan and each~~
1244 ~~municipality in such a county; and~~

1245 ~~(b) Beginning on July 1, 1989, and on or before July 1,~~
1246 ~~1991, all other counties or municipalities.~~

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1248 ~~Nothing herein shall preclude the state land planning agency from~~
1249 ~~permitting by rule a county together with each municipality in~~
1250 ~~the county from submitting a proposed comprehensive plan earlier~~
1251 ~~than the dates established in paragraphs (a) and (b). Any county~~
1252 ~~or municipality that fails to meet the schedule set for~~
1253 ~~submission of its proposed comprehensive plan by more than 90~~
1254 ~~days shall be subject to the sanctions described in s.~~
1255 ~~163.3184(11) (a) imposed by the Administration Commission.~~
1256 ~~Notwithstanding the time periods established in this subsection,~~
1257 ~~the state land planning agency may establish later deadlines for~~
1258 ~~the submission of proposed comprehensive plans or comprehensive~~
1259 ~~plans as proposed to be amended for a county or municipality~~
1260 ~~which has all or a part of a designated area of critical state~~
1261 ~~concern within its boundaries; however, such deadlines shall not~~
1262 ~~be extended to a date later than July 1, 1991, or the time of de-~~
1263 ~~designation, whichever is earlier.~~

1264 Section 25. Paragraph (h) of subsection (6) and paragraph
1265 (k) of subsection (10) of section 163.3177, Florida Statutes, are
1266 amended to read:

1267 163.3177 Required and optional elements of comprehensive
1268 plan; studies and surveys.--

1269 (6) In addition to the requirements of subsections (1)-(5)
1270 and (12), the comprehensive plan shall include the following
1271 elements:

1272 (h)1. An intergovernmental coordination element showing
1273 relationships and stating principles and guidelines to be used in
1274 coordinating ~~the accomplishment of coordination of~~ the adopted
1275 comprehensive plan with the plans of school boards, regional
1276 water supply authorities, and other units of local government

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1277 providing services but not having regulatory authority over the
1278 use of land, with the comprehensive plans of adjacent
1279 municipalities, the county, adjacent counties, or the region,
1280 with the state comprehensive plan and with the applicable
1281 regional water supply plan approved pursuant to s. 373.0361, as
1282 the case may require and as such adopted plans or plans in
1283 preparation may exist. This element of the local comprehensive
1284 plan must ~~shall~~ demonstrate consideration of the particular
1285 effects of the local plan, when adopted, upon the development of
1286 adjacent municipalities, the county, adjacent counties, or the
1287 region, or upon the state comprehensive plan, as the case may
1288 require.

1289 a. The intergovernmental coordination element shall provide
1290 ~~for~~ procedures for identifying and implementing ~~to identify and~~
1291 ~~implement~~ joint planning areas, especially for the purpose of
1292 annexation, municipal incorporation, and joint infrastructure
1293 service areas.

1294 b. The intergovernmental coordination element must ~~shall~~
1295 provide for recognition of campus master plans prepared pursuant
1296 to s. 1013.30.

1297 c. The intergovernmental coordination element may provide
1298 for a voluntary dispute resolution process, as established
1299 pursuant to s. 186.509, for bringing to closure in a timely
1300 ~~manner~~ intergovernmental disputes to closure in a timely manner.

1301 A local government may also develop and use an alternative local
1302 dispute resolution process for this purpose.

1303 2. The intergovernmental coordination element shall also
1304 ~~further~~ state principles and guidelines to be used in
1305 coordinating the accomplishment of coordination of the adopted

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1306 comprehensive plan with the plans of school boards and other
1307 units of local government providing facilities and services but
1308 not having regulatory authority over the use of land. In
1309 addition, the intergovernmental coordination element must ~~shall~~
1310 describe joint processes for collaborative planning and
1311 decisionmaking on population projections and public school
1312 siting, the location and extension of public facilities subject
1313 to concurrency, and siting facilities with countywide
1314 significance, including locally unwanted land uses whose nature
1315 and identity are established in an agreement. Within 1 year of
1316 adopting their intergovernmental coordination elements, each
1317 county, all the municipalities within that county, the district
1318 school board, and any unit of local government service providers
1319 in that county shall establish by interlocal or other formal
1320 agreement executed by all affected entities, the joint processes
1321 described in this subparagraph consistent with their adopted
1322 intergovernmental coordination elements.

1323 3. To foster coordination between special districts and
1324 local general-purpose governments as local general-purpose
1325 governments implement local comprehensive plans, each independent
1326 special district must submit a public facilities report to the
1327 appropriate local government as required by s. 189.415.

1328 4.~~a~~. Local governments must execute an interlocal agreement
1329 with the district school board, the county, and nonexempt
1330 municipalities pursuant to s. 163.31777. The local government
1331 shall amend the intergovernmental coordination element to provide
1332 that coordination between the local government and school board
1333 is pursuant to the agreement and shall state the obligations of
1334 the local government under the agreement.

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1335 ~~b.~~ Plan amendments that comply with this subparagraph are
1336 exempt from the provisions of s. 163.3187(1).

1337 ~~5.~~ ~~The state land planning agency shall establish a~~
1338 ~~schedule for phased completion and transmittal of plan amendments~~
1339 ~~to implement subparagraphs 1., 2., and 3. from all jurisdictions~~
1340 ~~so as to accomplish their adoption by December 31, 1999. A local~~
1341 ~~government may complete and transmit its plan amendments to carry~~
1342 ~~out these provisions prior to the scheduled date established by~~
1343 ~~the state land planning agency. The plan amendments are exempt~~
1344 ~~from the provisions of s. 163.3187(1).~~

1345 ~~5.6.~~ By January 1, 2004, any county having a population
1346 greater than 100,000, and the municipalities and special
1347 districts within that county, shall submit a report to the
1348 Department of Community Affairs which identifies:

1349 ~~a. Identifies~~ All existing or proposed interlocal service
1350 delivery agreements relating to ~~regarding the following~~:
1351 education; sanitary sewer; public safety; solid waste; drainage;
1352 potable water; parks and recreation; and transportation
1353 facilities.

1354 ~~b. Identifies~~ Any deficits or duplication in the provision
1355 of services within its jurisdiction, whether capital or
1356 operational. Upon request, the Department of Community Affairs
1357 shall provide technical assistance to the local governments in
1358 identifying deficits or duplication.

1359 ~~6.7.~~ Within 6 months after submission of the report, the
1360 Department of Community Affairs shall, through the appropriate
1361 regional planning council, coordinate a meeting of all local
1362 governments within the regional planning area to discuss the
1363 reports and potential strategies to remedy any identified

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1364 deficiencies or duplications.

1365 ~~7.8.~~ Each local government shall update its
1366 intergovernmental coordination element based upon the findings in
1367 the report submitted pursuant to subparagraph 5. ~~6.~~ The report
1368 may be used as supporting data and analysis for the
1369 intergovernmental coordination element.

1370 (10) The Legislature recognizes the importance and
1371 significance of chapter 9J-5, Florida Administrative Code, the
1372 Minimum Criteria for Review of Local Government Comprehensive
1373 Plans and Determination of Compliance of the Department of
1374 Community Affairs that will be used to determine the compliance
1375 of local comprehensive plans. The Legislature reserved unto
1376 itself the right to review chapter 9J-5, Florida Administrative
1377 Code, and to reject, modify, or take no action relative to this
1378 rule. Therefore, pursuant to subsection (9), the Legislature
1379 hereby has reviewed chapter 9J-5, Florida Administrative Code,
1380 and expresses the following legislative intent:

1381 (k) In order for ~~So that~~ local governments ~~are able~~ to
1382 prepare and adopt comprehensive plans with knowledge of the rules
1383 that are ~~will be~~ applied to determine consistency of the plans
1384 with provisions of this part, it is the intent of the Legislature
1385 that there should be no doubt as to the legal standing of chapter
1386 9J-5, Florida Administrative Code, at the close of the 1986
1387 legislative session. Therefore, the Legislature declares that
1388 changes made to chapter 9J-5, ~~Florida Administrative Code,~~ prior
1389 to October 1, 1986, are ~~shall not be~~ subject to rule challenges
1390 under s. 120.56(2), or to drawout proceedings under s.
1391 120.54(3)(c)2. The entire chapter 9J-5, Florida Administrative
1392 Code, as amended, shall be subject to rule challenges under s.

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1393 120.56(3), as nothing herein indicates ~~shall be construed to~~
1394 ~~indicate~~ approval or disapproval of any portion of chapter 9J-5,
1395 ~~Florida Administrative Code,~~ not specifically addressed herein.
1396 ~~No challenge pursuant to s. 120.56(3) may be filed from July 1,~~
1397 ~~1987, through April 1, 1993. Any amendments to chapter 9J-5,~~
1398 ~~Florida Administrative Code, exclusive of the amendments adopted~~
1399 ~~prior to October 1, 1986, pursuant to this act, shall be subject~~
1400 ~~to the full chapter 120 process. All amendments shall have~~
1401 ~~effective dates as provided in chapter 120 and submission to the~~
1402 ~~President of the Senate and Speaker of the House of~~
1403 ~~Representatives shall not be required.~~

1404 Section 26. Subsection (6) of section 163.3178, Florida
1405 Statutes, is amended to read:

1406 163.3178 Coastal management.--

1407 (6) Local governments are encouraged to adopt countywide
1408 marina siting plans to designate sites for existing and future
1409 marinas. The Coastal Resources Interagency Management Committee,
1410 at the direction of the Legislature, shall identify incentives to
1411 encourage local governments to adopt such siting plans and
1412 uniform criteria and standards to be used by local governments to
1413 implement state goals, objectives, and policies relating to
1414 marina siting. These criteria must ensure that priority is given
1415 to water-dependent land uses. ~~The Coastal Resources Interagency~~
1416 ~~Management Committee shall submit its recommendations regarding~~
1417 ~~local government incentives to the Legislature by December 1,~~
1418 ~~1993.~~ Countywide marina siting plans must be consistent with
1419 state and regional environmental planning policies and standards.

1420 Each local government in the coastal area which participates in
1421 adoption of a countywide marina siting plan shall incorporate the

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1422 plan into the coastal management element of its local
1423 comprehensive plan.

1424 Section 27. Subsection (12) of section 163.519, Florida
1425 Statutes, is repealed.

1426 Section 28. Subsection (9) of section 186.007, Florida
1427 Statutes, is repealed.

1428 Section 29. Subsection (5) of section 189.4035, Florida
1429 Statutes, is amended to read:

1430 189.4035 Preparation of official list of special
1431 districts.--

1432 (5) The official list of special districts shall be
1433 available on the department's website ~~distributed by the~~
1434 ~~department on October 1 of each year to the President of the~~
1435 ~~Senate, the Speaker of the House of Representatives, the Auditor~~
1436 ~~General, the Department of Revenue, the Department of Financial~~
1437 ~~Services, the Department of Management Services, the State Board~~
1438 ~~of Administration, counties, municipalities, county property~~
1439 ~~appraisers, tax collectors, and supervisors of elections and to~~
1440 ~~all interested parties who request the list.~~

1441 Section 30. Subsection (2) of section 189.412, Florida
1442 Statutes, is amended to read:

1443 189.412 Special District Information Program; duties and
1444 responsibilities.--The Special District Information Program of
1445 the Department of Community Affairs is created and has the
1446 following special duties:

1447 (2) The maintenance of a master list of independent and
1448 dependent special districts which shall be available on the
1449 department's website ~~annually updated and distributed to the~~
1450 ~~appropriate officials in state and local governments.~~

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1451 Section 31. Subsection (2) of section 194.034, Florida
1452 Statutes, is amended to read:

1453 194.034 Hearing procedures; rules.--

1454 (2) ~~In each case,~~ Except when a complaint is withdrawn by
1455 the petitioner or is acknowledged as correct by the property
1456 appraiser, the value adjustment board shall render a written
1457 decision in each case. All ~~such~~ decisions shall be issued within
1458 20 calendar days after ~~of~~ the last day the board is in session
1459 under s. 194.032. The decision of the board must ~~shall~~ contain
1460 findings of fact and conclusions of law and must ~~shall~~ include
1461 reasons for upholding or overturning the determination of the
1462 property appraiser. If ~~When~~ a special magistrate has been
1463 appointed, the recommendations of the special magistrate shall be
1464 considered by the board. ~~The clerk,~~ Upon issuance of the board's
1465 decisions, the clerk shall, on a form provided by the Department
1466 of Revenue, notify by first-class mail each taxpayer and, the
1467 property appraiser, ~~and the department~~ of the decision of the
1468 board.

1469 Section 32. Paragraph (b) of subsection (1) of section
1470 206.606, Florida Statutes, is amended to read:

1471 206.606 Distribution of certain proceeds.--

1472 (1) Moneys collected pursuant to ss. 206.41(1)(g) and
1473 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust
1474 Fund. Such moneys, after deducting the service charges imposed
1475 by s. 215.20, the refunds granted pursuant to s. 206.41, and the
1476 administrative costs incurred by the department in collecting,
1477 administering, enforcing, and distributing the tax, which
1478 administrative costs may not exceed 2 percent of collections,
1479 shall be distributed monthly to the State Transportation Trust

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1480 Fund, except that:

1481 (b) Annually \$2.5 million shall be transferred to the State
1482 Game Trust Fund in the Fish and Wildlife Conservation Commission
1483 ~~in each fiscal year~~ and used for recreational boating activities,
1484 and freshwater fisheries management and research. The transfers
1485 must be made in equal monthly amounts beginning on July 1 of each
1486 fiscal year. The commission shall annually determine where unmet
1487 needs exist for boating-related activities, and may fund such
1488 activities in counties where, due to the number of vessel
1489 registrations, sufficient financial resources are unavailable.

1490 1. A minimum of \$1.25 million shall be used to fund local
1491 projects to provide recreational channel marking and other
1492 uniform waterway markers, public boat ramps, lifts, and hoists,
1493 marine railways, and other public launching facilities, derelict
1494 vessel removal, and other local boating-related activities. In
1495 funding the projects, the commission shall give priority
1496 consideration as follows:

1497 a. Unmet needs in counties with populations of 100,000 or
1498 less.

1499 b. Unmet needs in coastal counties with a high level of
1500 boating-related activities from individuals residing in other
1501 counties.

1502 2. The remaining \$1.25 million may be used for recreational
1503 boating activities and freshwater fisheries management and
1504 research.

1505 3. The commission may ~~is authorized to~~ adopt rules pursuant
1506 to ss. 120.536(1) and 120.54 to administer ~~implement~~ a Florida
1507 Boating Improvement Program.

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1509 ~~On February 1 of each year,~~ The commission shall prepare and
1510 make available on its Internet website ~~file~~ an annual report ~~with~~
1511 ~~the President of the Senate and the Speaker of the House of~~
1512 ~~Representatives~~ outlining the status of its Florida Boating
1513 Improvement Program, including the projects funded, and a list of
1514 counties whose needs are unmet due to insufficient financial
1515 resources from vessel registration fees.

1516 Section 33. Paragraph (b) of subsection (4) of section
1517 212.054, Florida Statutes, is amended to read:

1518 212.054 Discretionary sales surtax; limitations,
1519 administration, and collection.--

1520 (4)

1521 (b) The proceeds of a discretionary sales surtax collected
1522 by the selling dealer located in a county that ~~which~~ imposes the
1523 surtax shall be returned, less the cost of administration, to the
1524 county where the selling dealer is located. The proceeds shall be
1525 transferred to the Discretionary Sales Surtax Clearing Trust
1526 Fund. A separate account shall be established in the ~~such~~ trust
1527 fund for each county imposing a discretionary surtax. The amount
1528 deducted for the costs of administration may ~~shall~~ not exceed 3
1529 percent of the total revenue generated for all counties levying a
1530 surtax authorized in s. 212.055. The amount deducted for the
1531 costs of administration may ~~shall~~ be used only for those costs
1532 which are solely and directly attributable to the surtax. The
1533 total cost of administration shall be prorated among those
1534 counties levying the surtax on the basis of the amount collected
1535 for a particular county to the total amount collected for all
1536 counties. ~~No later than March 1 of each year, the department~~
1537 ~~shall submit a written report which details the expenses and~~

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1538 ~~amounts deducted for the costs of administration to the President~~
1539 ~~of the Senate, the Speaker of the House of Representatives, and~~
1540 ~~the governing authority of each county levying a surtax.~~ The
1541 department shall distribute the moneys in the trust fund ~~each~~
1542 ~~month~~ to the appropriate counties each month, unless otherwise
1543 provided in s. 212.055.

1544 Section 34. Paragraph (j) of subsection (5) of section
1545 212.08, Florida Statutes, is amended to read:

1546 212.08 Sales, rental, use, consumption, distribution, and
1547 storage tax; specified exemptions.--The sale at retail, the
1548 rental, the use, the consumption, the distribution, and the
1549 storage to be used or consumed in this state of the following are
1550 hereby specifically exempt from the tax imposed by this chapter.

1551 (5) EXEMPTIONS; ACCOUNT OF USE.--

1552 (j) Machinery and equipment used in semiconductor, defense,
1553 or space technology production.--

1554 1.a. Industrial machinery and equipment used in
1555 semiconductor technology facilities certified under subparagraph
1556 5. to manufacture, process, compound, or produce semiconductor
1557 technology products for sale or for use by these facilities are
1558 exempt from the tax imposed by this chapter. For purposes of this
1559 paragraph, industrial machinery and equipment includes molds,
1560 dies, machine tooling, other appurtenances or accessories to
1561 machinery and equipment, testing equipment, test beds, computers,
1562 and software, whether purchased or self-fabricated, and, if self-
1563 fabricated, includes materials and labor for design, fabrication,
1564 and assembly.

1565 b. Industrial machinery and equipment used in defense or
1566 space technology facilities certified under subparagraph 5. to

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1567 design, manufacture, assemble, process, compound, or produce
1568 defense technology products or space technology products for sale
1569 or for use by these facilities are exempt from the tax imposed by
1570 this chapter.

1571 2. Building materials purchased for use in manufacturing or
1572 expanding clean rooms in semiconductor-manufacturing facilities
1573 are exempt from the tax imposed by this chapter.

1574 3. In addition to meeting the criteria mandated by
1575 subparagraph 1. or subparagraph 2., a business must be certified
1576 by the Office of Tourism, Trade, and Economic Development ~~as~~
1577 ~~authorized in this paragraph in order~~ to qualify for exemption
1578 under this paragraph.

1579 4. For items purchased tax-exempt pursuant to this
1580 paragraph, possession of a written certification from the
1581 purchaser, certifying the purchaser's entitlement to the
1582 exemption ~~pursuant to this paragraph~~, relieves the seller of the
1583 responsibility of collecting the tax on the sale of such items,
1584 and the department shall look solely to the purchaser for
1585 recovery of tax if it determines that the purchaser was not
1586 entitled to the exemption.

1587 5.a. To be eligible to receive the exemption provided by
1588 subparagraph 1. or subparagraph 2., a qualifying business entity
1589 shall ~~apply~~ initially apply to Enterprise Florida, Inc. The
1590 original certification ~~is shall be~~ valid for a period of 2 years.
1591 In lieu of submitting a new application, the original
1592 certification may be renewed biennially by submitting to the
1593 Office of Tourism, Trade, and Economic Development a statement,
1594 certified under oath, that there has been no material change in
1595 the conditions or circumstances entitling the business entity to

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1596 the original certification. The initial application and the
1597 certification renewal statement shall be developed by the Office
1598 of Tourism, Trade, and Economic Development in consultation with
1599 Enterprise Florida, Inc.

1600 b. Enterprise Florida, Inc., shall review each submitted
1601 initial application ~~and information~~ and determine whether or not
1602 the application is complete within 5 working days. Once ~~an~~
1603 ~~application is~~ complete, Enterprise Florida, Inc., shall, within
1604 10 working days, evaluate the application and recommend approval
1605 or disapproval ~~of the application~~ to the Office of Tourism,
1606 Trade, and Economic Development.

1607 c. Upon receipt of the initial application and
1608 recommendation from Enterprise Florida, Inc., or upon receipt of
1609 a certification renewal statement, the Office of Tourism, Trade,
1610 and Economic Development shall certify within 5 working days
1611 those applicants who are found to meet the requirements of this
1612 section and notify the applicant, Enterprise Florida, Inc., and
1613 the department of the original certification or certification
1614 renewal. If the Office of Tourism, Trade, and Economic
1615 Development finds that the applicant does not meet the
1616 requirements ~~of this section~~, it shall notify the applicant and
1617 Enterprise Florida, Inc., within 10 working days that the
1618 application for certification has been denied and the reasons for
1619 denial. The Office of Tourism, Trade, and Economic Development
1620 has final approval authority for certification under this
1621 section.

1622 d. The initial application and certification renewal
1623 statement must indicate, for program evaluation purposes only,
1624 the average number of full-time equivalent employees at the

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1625 facility over the preceding calendar year, the average wage and
1626 benefits paid to those employees over the preceding calendar
1627 year, the total investment made in real and tangible personal
1628 property over the preceding calendar year, and the total value of
1629 tax-exempt purchases and taxes exempted during the previous year.
1630 The department shall assist the Office of Tourism, Trade, and
1631 Economic Development in evaluating and verifying information
1632 provided in the application for exemption.

1633 e. The Office of Tourism, Trade, and Economic Development
1634 may use the information reported on the initial application and
1635 certification renewal statement for evaluation purposes only ~~and~~
1636 ~~shall prepare an annual report on the exemption program and its~~
1637 ~~cost and impact. The annual report for the preceding fiscal year~~
1638 ~~shall be submitted to the Governor, the President of the Senate,~~
1639 ~~and the Speaker of the House of Representatives by September 30~~
1640 ~~of each fiscal year.~~

1641 6. A business certified to receive this exemption may elect
1642 to designate one or more state universities or community colleges
1643 as recipients of up to 100 percent of the amount of the exemption
1644 ~~for which they may qualify~~. To receive these funds, the
1645 institution must agree to match the funds ~~so earned~~ with
1646 equivalent cash, programs, services, or other in-kind support on
1647 a one-to-one basis for ~~in the pursuit of~~ research and development
1648 projects ~~as~~ requested by the certified business. The rights to
1649 any patents, royalties, or real or intellectual property must be
1650 vested in the business unless otherwise agreed to by the business
1651 and the university or community college.

1652 7. As used in this paragraph, the term:

1653 a. "Semiconductor technology products" means raw

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1654 semiconductor wafers or semiconductor thin films that are
1655 transformed into semiconductor memory or logic wafers, including
1656 wafers containing mixed memory and logic circuits; related
1657 assembly and test operations; active-matrix flat panel displays;
1658 semiconductor chips; semiconductor lasers; optoelectronic
1659 elements; and related semiconductor technology products as
1660 determined by the Office of Tourism, Trade, and Economic
1661 Development.

1662 b. "Clean rooms" means manufacturing facilities enclosed in
1663 a manner that meets the clean manufacturing requirements
1664 necessary for high-technology semiconductor-manufacturing
1665 environments.

1666 c. "Defense technology products" means products that have a
1667 military application, including, but not limited to, weapons,
1668 weapons systems, guidance systems, surveillance systems,
1669 communications or information systems, munitions, aircraft,
1670 vessels, or boats, or components thereof, which are intended for
1671 military use and manufactured in performance of a contract with
1672 the United States Department of Defense or the military branch of
1673 a recognized foreign government or a subcontract thereunder which
1674 relates to matters of national defense.

1675 d. "Space technology products" means products that are
1676 specifically designed or manufactured for application in space
1677 activities, including, but not limited to, space launch vehicles,
1678 space flight vehicles, missiles, satellites or research payloads,
1679 avionics, and associated control systems and processing systems
1680 and components of any of the foregoing. The term does not include
1681 products that are designed or manufactured for general commercial
1682 aviation or other uses even though those products may also serve

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1683 an incidental use in space applications.

1684 Section 35. Section 213.0452, Florida Statutes, is
1685 repealed.

1686 Section 36. Section 213.054, Florida Statutes, is repealed.

1687 Section 37. Subsection (3) of section 215.70, Florida
1688 Statutes, is amended to read:

1689 215.70 State Board of Administration to act in case of
1690 defaults.--

1691 (3) It shall be the duty of the State Board of
1692 Administration to monitor the debt service accounts for bonds
1693 issued pursuant to this act. The board shall advise the Governor
1694 and Legislature of any projected need to appropriate funds to
1695 honor the pledge of full faith and credit of the state. The
1696 report shall include the estimated amount of appropriations
1697 needed, the estimated maximum amount of appropriations needed,
1698 and a contingency appropriation request for each bond issue.

1699 Section 38. Paragraph (z) of subsection (1) of section
1700 216.011, Florida Statutes, is amended to read:

1701 216.011 Definitions.--

1702 (1) For the purpose of fiscal affairs of the state,
1703 appropriations acts, legislative budgets, and approved budgets,
1704 each of the following terms has the meaning indicated:

1705 (z) "Long-range program plan" means a plan developed
1706 pursuant to s. 216.013 ~~on an annual basis by each state agency~~
1707 ~~that is policy based, priority driven, accountable, and developed~~
1708 ~~through careful examination and justification of all programs and~~
1709 ~~their associated costs. Each plan is developed by examining the~~
1710 ~~needs of agency customers and clients and proposing programs and~~
1711 ~~associated costs to address those needs based on state priorities~~

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1712 ~~as established by law, the agency mission, and legislative~~
1713 ~~authorization. The plan provides the framework and context for~~
1714 ~~preparing the legislative budget request and includes performance~~
1715 ~~indicators for evaluating the impact of programs and agency~~
1716 ~~performance.~~

1717 Section 39. Section 216.103, Florida Statutes, is repealed.

1718 Section 40. Section 216.172, Florida Statutes, is repealed.

1719 Section 41. Paragraph (c) of subsection (10) of section
1720 216.181, Florida Statutes, is repealed.

1721 Section 42. Subsection (5) of section 252.55, Florida
1722 Statutes, is amended to read:

1723 252.55 Civil Air Patrol, Florida Wing.--

1724 (5) The wing commander of the Florida Wing of the Civil Air
1725 Patrol shall biennially furnish the Bureau of Emergency
1726 Management a 2-year ~~an annual~~ projection of the goals and
1727 objectives of the Civil Air Patrol ~~for the following year~~. These
1728 will be reported ~~to the Governor~~ in the division's biennial
1729 annual report submitted pursuant to s. 252.35 ~~of the division on~~
1730 February 1 of each year.

1731 Section 43. Subsection (1) of section 253.7825, Florida
1732 Statutes, is amended to read:

1733 253.7825 Recreational uses.--

1734 (1) The Cross Florida Greenways State Recreation and
1735 Conservation Area must be managed as a multiple-use area pursuant
1736 to s. 253.034(2)(a), and as further provided herein. ~~The~~
1737 ~~University of Florida Management Plan provides a conceptual~~
1738 ~~recreational plan that may ultimately be developed at various~~
1739 ~~locations throughout the greenways corridor. The plan proposes to~~
1740 ~~locate a number of the larger, more comprehensive and complex~~

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1741 ~~recreational facilities in sensitive, natural resource areas.~~
1742 Future site-specific studies and investigations must be conducted
1743 by the department to determine compatibility with, and potential
1744 for adverse impact to, existing natural resources, need for the
1745 facility, the availability of other alternative locations with
1746 reduced adverse impacts to existing natural resources, and the
1747 proper specific sites and locations for the more comprehensive
1748 and complex facilities. Furthermore, it is appropriate, with the
1749 approval of the department, to allow more fishing docks, boat
1750 launches, and other user-oriented facilities to be developed and
1751 maintained by local governments.

1752 Section 44. Section 253.7826, Florida Statutes, is
1753 repealed.

1754 Section 45. Section 253.7829, Florida Statutes, is
1755 repealed.

1756 Section 46. Subsection (4) of section 259.037, Florida
1757 Statutes, is amended to read:

1758 259.037 Land Management Uniform Accounting Council.--

1759 (4) The council shall provide a report of the agencies'
1760 expenditures pursuant to the adopted categories ~~to the President~~
1761 ~~of the Senate and the Speaker of the House of Representatives~~
1762 ~~annually, beginning July 1, 2001. The council shall also provide~~
1763 ~~this report~~ to the Acquisition and Restoration Council for
1764 inclusion in its annual report required pursuant to s. 259.105.

1765 Section 47. Subsection (4) of section 267.074, Florida
1766 Statutes, is repealed.

1767 Section 48. Section 272.121, Florida Statutes, is repealed.

1768 Section 49. Subsection (3) of section 284.50, Florida
1769 Statutes, is repealed.

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1770 Section 50. Subsection (11) of section 287.045, Florida
1771 Statutes, is repealed.

1772 Section 51. Subsection (15) of section 287.059, Florida
1773 Statutes, is amended to read:

1774 287.059 Private attorney services.--

1775 (15) The Attorney General's office may, ~~by rule,~~ adopt
1776 standard fee schedules for court reporting services for each
1777 judicial circuit by rule in consultation with the Florida Court
1778 Reporters Association. ~~Agencies,~~ When contracting for court
1779 reporting services, agencies shall ~~must~~ use the standard fee
1780 schedule ~~for court reporting services~~ established pursuant to
1781 this section, provided no state contract is applicable or unless
1782 the head of the agency or his or her designee waives use of the
1783 schedule and sets forth the reasons for deviating from the
1784 schedule in writing to the Attorney General. Such waiver must
1785 demonstrate necessity based upon criteria for deviation from the
1786 schedule which the Attorney General shall establish by rule. ~~Any~~
1787 ~~proposed fee schedule under this section shall be submitted to~~
1788 ~~the Governor, the Speaker of the House of Representatives, the~~
1789 ~~President of the Senate, and the Chief Justice of the Florida~~
1790 ~~Supreme Court at least 60 days prior to publication of the notice~~
1791 ~~to adopt the rule.~~

1792 Section 52. Subsection (10) of section 287.16, Florida
1793 Statutes, is repealed.

1794 Section 53. Paragraph (d) of subsection (6) of section
1795 288.1045, Florida Statutes, is repealed.

1796 Section 54. Subsection (7) of section 288.108, Florida
1797 Statutes, is repealed.

1798 Section 55. Section 288.1185, Florida Statutes, is

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1799 repealed.

1800 Section 56. Subsection (6) of section 288.1226, Florida
1801 Statutes, is amended to read:

1802 288.1226 Florida Tourism Industry Marketing Corporation;
1803 use of property; board of directors; duties; audit.--

1804 (6) ANNUAL AUDIT.--The corporation shall provide for an
1805 annual financial audit in accordance with s. 215.981. The annual
1806 audit report shall be submitted to the Auditor General; the
1807 Office of Policy Analysis and Government Accountability; and the
1808 Office of Tourism, Trade, and Economic Development for review.
1809 The Office of Program Policy Analysis and Government
1810 Accountability; the Office of Tourism, Trade, and Economic
1811 Development; and the Auditor General may ~~have the authority to~~
1812 ~~require and receive from the corporation or from its independent~~
1813 ~~auditor any detail or supplemental data relative to the operation~~
1814 ~~of the corporation. The Office of Tourism, Trade, and Economic~~
1815 ~~Development shall annually certify whether the corporation is~~
1816 ~~operating in a manner and achieving the objectives that are~~
1817 ~~consistent with the policies and goals of the commission and its~~
1818 ~~long-range marketing plan.~~ The identity of a donor or prospective
1819 donor to the corporation who desires to remain anonymous and all
1820 information identifying such donor or prospective donor are
1821 confidential and exempt from the provisions of s. 119.07(1) and
1822 s. 24(a), Art. I of the State Constitution. Such anonymity shall
1823 be maintained in the auditor's report.

1824 Section 57. Paragraph (e) of subsection (8) of section
1825 288.1229, Florida Statutes, is amended to read:

1826 288.1229 Promotion and development of sports-related
1827 industries and amateur athletics; direct-support organization;

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1828 powers and duties.--

1829 (8) To promote amateur sports and physical fitness, the
1830 direct-support organization shall:

1831 (e) Promote Florida as a host for national and
1832 international amateur athletic competitions. ~~As part of this~~
1833 ~~effort, the direct-support organization shall:~~

1834 ~~1. Assist and support Florida cities or communities bidding~~
1835 ~~or seeking to host the Summer Olympics or Pan American Games.~~

1836 ~~2. Annually report to the Governor, the President of the~~
1837 ~~Senate, and the Speaker of the House of Representatives on the~~
1838 ~~status of the efforts of cities or communities bidding to host~~
1839 ~~the Summer Olympics or Pan American Games, including, but not~~
1840 ~~limited to, current financial and infrastructure status,~~
1841 ~~projected financial and infrastructure needs, and recommendations~~
1842 ~~for satisfying the unmet needs and fulfilling the requirements~~
1843 ~~for a successful bid in any year that the Summer Olympics or Pan~~
1844 ~~American Games are held in this state.~~

1845 Section 58. Subsection (4) of section 288.7015, Florida
1846 Statutes, is repealed.

1847 Section 59. Section 288.7771, Florida Statutes, is amended
1848 to read:

1849 288.7771 Annual report of Florida Export Finance
1850 Corporation.--~~By March 31 of each year,~~ The corporation shall
1851 annually prepare and submit to Enterprise Florida, Inc., for
1852 inclusion in their annual report required by s. 288.095 ~~the~~
1853 ~~Governor, the President of the Senate, the Speaker of the House~~
1854 ~~of Representatives, the Senate Minority Leader, and the House~~
1855 ~~Minority Leader~~ a complete and detailed report setting forth:

1856 (1) The report required in s. 288.776(3).

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1857 (2) Its assets and liabilities at the end of its most
1858 recent fiscal year.

1859 Section 60. Subsections (8), (10), and (11) of section
1860 288.8175, Florida Statutes, are repealed.

1861 Section 61. Subsection (5) of section 288.853, Florida
1862 Statutes, is repealed.

1863 Section 62. Subsection (5) of section 288.95155, Florida
1864 Statutes, is amended to read:

1865 288.95155 Florida Small Business Technology Growth
1866 Program.--

1867 (5) ~~By January 1 of each year, Enterprise Florida, Inc.,~~
1868 ~~shall prepare and include in their annual report required by s.~~
1869 ~~288.095 a report on the financial status of the program and the~~
1870 ~~account and shall submit a copy of the report to the board of~~
1871 ~~directors of Enterprise Florida, Inc., the appropriate~~
1872 ~~legislative committees responsible for economic development~~
1873 ~~oversight, and the appropriate legislative appropriations~~
1874 ~~subcommittees. The report must shall specify the assets and~~
1875 ~~liabilities of the account within the current fiscal year and~~
1876 ~~must shall include a portfolio update that lists all of the~~
1877 ~~businesses assisted, the private dollars leveraged by each~~
1878 ~~business assisted, and the growth in sales and in employment of~~
1879 ~~each business assisted.~~

1880 Section 63. Paragraph (c) of subsection (4) of section
1881 288.9604, Florida Statutes, is amended to read:

1882 288.9604 Creation of the authority.--

1883 (4)

1884 (c) The directors of the corporation shall annually elect
1885 one of their members as chair and one as vice chair. The

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1886 corporation may employ a president, technical experts, and such
1887 other agents and employees, permanent and temporary, as it
1888 requires and determine their qualifications, duties, and
1889 compensation. For such legal services as it requires, the
1890 corporation may employ or retain its own counsel and legal staff.

1891 ~~The corporation shall file with the governing body of each~~
1892 ~~public agency with which it has entered into an interlocal~~
1893 ~~agreement and with the Governor, the Speaker of the House of~~
1894 ~~Representatives, the President of the Senate, the Minority~~
1895 ~~Leaders of the Senate and House of Representatives, and the~~
1896 ~~Auditor General, on or before 90 days after the close of the~~
1897 ~~fiscal year of the corporation, a report of its activities for~~
1898 ~~the preceding fiscal year, which report shall include a complete~~
1899 ~~financial statement setting forth its assets, liabilities,~~
1900 ~~income, and operating expenses as of the end of such fiscal year.~~

1901 Section 64. Section 288.9610, Florida Statutes, is amended
1902 to read:

1903 288.9610 Annual reports of Florida Development Finance
1904 Corporation.--On or before 90 days after the close of ~~By December~~
1905 ~~1 of each year,~~ the Florida Development Finance Corporation's
1906 fiscal year, the corporation shall submit to the Governor, the
1907 Legislature ~~President of the Senate, the Speaker of the House of~~
1908 ~~Representatives, the Senate Minority Leader, the House Minority~~
1909 ~~Leader, the Auditor General,~~ and the governing body of each
1910 public entity with which it has entered into an interlocal
1911 agreement ~~city or county activating the Florida Development~~
1912 ~~Finance Corporation~~ a complete and detailed report setting forth:

1913 (1) The results of any audit conducted pursuant to s. 11.45
1914 ~~evaluation required in s. 11.45(3)(j).~~

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1915 (2) The activities, operations, and accomplishments of the
1916 Florida Development Finance Corporation, including the number of
1917 businesses assisted by the corporation.

1918 (3) Its assets, ~~and~~ liabilities, income, and operating
1919 expenses at the end of its most recent fiscal year, including a
1920 description of all of its outstanding revenue bonds.

1921 Section 65. Subsection (3) of section 292.04, Florida
1922 Statutes, is amended to read:

1923 292.04 Florida Commission on Veterans' Affairs.--

1924 ~~(3)(a) It is the duty of the commission to conduct a~~
1925 ~~biennial survey of possible contributions that veterans or state~~
1926 ~~organizations of veterans and their auxiliaries could make to the~~
1927 ~~state and to report the results of the survey to the department~~
1928 ~~together with recommendations for encouraging such contributions.~~

1929 ~~(b)~~ The commission shall work with the various veterans'
1930 organizations and their auxiliaries within the state and shall
1931 function as a liaison between such organizations and the
1932 department on matters pertaining to veterans.

1933 Section 66. Subsection (6) of section 292.05, Florida
1934 Statutes, is amended to read:

1935 292.05 Duties of Department of Veterans' Affairs.--

1936 (6) The department shall, by ~~on~~ December 31 of each year,
1937 submit ~~make~~ an annual written report to the Governor, the
1938 Cabinet, and the Legislature which describes:

1939 ~~(a) of the state, the Speaker of the House of~~
1940 ~~Representatives, and the President of the Senate, which report~~
1941 ~~shall show~~ The expenses incurred in veteran service work in the
1942 state; the number, nature, and kind of cases handled by the
1943 department and by county and city veteran service officers of the

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1944 state; the amounts of benefits obtained for veterans; the names
1945 and addresses of all certified veteran service officers,
1946 including county and city veteran service officers. The report
1947 must ~~shall~~ also describe the actions taken by the department in
1948 implementing subsections (4), (5), and (7) and include ~~shall~~
1949 ~~contain~~ such other information and recommendations as may appear
1950 to the department to be right and proper.

1951 (b) The current status of the department's domiciliary and
1952 nursing homes established pursuant to chapter 296, including all
1953 receipts and expenditures, the condition of the homes, the number
1954 of residents received and discharged during the preceding year,
1955 occupancy rates, staffing, and any other information necessary to
1956 provide an understanding of the management, conduct, and
1957 operation of the homes.

1958 Section 67. Section 296.16, Florida Statutes, is repealed.

1959 Section 68. Section 296.39, Florida Statutes, is repealed.

1960 Section 69. Paragraph (c) of subsection (12) of section
1961 315.03, Florida Statutes, is repealed.

1962 Section 70. Subsection (2) of section 319.324, Florida
1963 Statutes, is amended to read:

1964 319.324 Odometer fraud prevention and detection; funding.--

1965 (2) Moneys deposited into the Highway Safety Operating
1966 Trust Fund under this section shall be used to implement and
1967 maintain efforts by the department to prevent and detect odometer
1968 fraud, including the prompt investigation of alleged instances of
1969 odometer mileage discrepancies reported by licensed motor vehicle
1970 dealers, auctions, or purchasers of motor vehicles. ~~Such moneys~~
1971 ~~shall also be used to fund an annual report to the Legislature by~~
1972 ~~the Department of Highway Safety and Motor Vehicles, summarizing~~

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1973 ~~the department's investigations and findings. In addition, moneys~~
1974 ~~deposited into the fund may be used by the department for general~~
1975 ~~operations.~~

1976 Section 71. Section 322.181, Florida Statutes, is amended
1977 to read:

1978 322.181 Advisory council on the Study of effects of aging
1979 ~~on driving ability; advisory council.--~~

1980 ~~(1) The Department of Highway Safety and Motor Vehicles~~
1981 ~~shall study the effects of aging on driving ability. The purpose~~
1982 ~~of the study is to develop a comprehensive approach to licensing~~
1983 ~~drivers.~~

1984 ~~(2) Issues to be studied by the department shall include~~
1985 ~~the:~~

1986 ~~(a) Effective and efficient identification of drivers at~~
1987 ~~risk of being involved in a motor vehicle accident because of~~
1988 ~~functional limitations that affect their driving ability;~~

1989 ~~(b) Prevalence and effect of degenerative processes~~
1990 ~~affecting vision, hearing, mobility, cognitive functions, and~~
1991 ~~reaction time;~~

1992 ~~(c) Implementation and effect of the department's vision~~
1993 ~~screening requirements and examination of new technologies;~~

1994 ~~(d) Availability and effectiveness of remedial measures~~
1995 ~~such as skills training, adaptive equipment, physical therapy,~~
1996 ~~and adjustment of driving practices that will allow people to~~
1997 ~~drive safely for as long as possible;~~

1998 ~~(e) Availability of alternative forms of transportation for~~
1999 ~~people who can no longer safely drive; and~~

2000 ~~(f) Effectiveness of existing public education initiatives~~
2001 ~~relating to at-risk drivers.~~

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2002 ~~(3) The department shall report the results of the study to~~
2003 ~~the President of the Senate and the Speaker of the House of~~
2004 ~~Representatives by February 1, 2004. The report shall include~~
2005 ~~findings of the study and recommendations for improving the~~
2006 ~~safety of at-risk drivers.~~

2007 (4) The department shall appoint an advisory council to
2008 ~~participate in the study and to~~ advise the department on issues
2009 related to older at-risk drivers on an ongoing basis. The council
2010 shall be known as the Florida At-Risk Driver Council. Members of
2011 the council shall include representatives of organizations
2012 involved with issues facing older drivers including state
2013 agencies, medical professionals, senior citizen advocacy groups,
2014 providers of services to senior citizens, and research entities.

2015 Section 72. Paragraph (c) of subsection (7) of section
2016 322.251, Florida Statutes, is repealed.

2017 Section 73. Subsection (4) of section 366.82, Florida
2018 Statutes, is repealed.

2019 Section 74. Subsection (7) of section 369.22, Florida
2020 Statutes, is amended to read:

2021 369.22 Nonindigenous aquatic plant control.--

2022 (7) The department shall prepare ~~submit~~ an annual report on
2023 the status of the nonindigenous aquatic plant maintenance program
2024 which shall be published on the department's Internet website ~~to~~
2025 ~~the President of the Senate, the Speaker of the House of~~
2026 ~~Representatives, and the Governor and Cabinet by January 1 of the~~
2027 ~~following year. This report shall include a statement of the~~
2028 ~~degree of maintenance control achieved by individual~~
2029 ~~nonindigenous aquatic plant species in the intercounty waters of~~
2030 ~~each of the water management districts for the preceding county~~

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2031 ~~fiscal year, together with an analysis of the costs of achieving~~
2032 ~~this degree of control. This cost accounting shall include the~~
2033 ~~expenditures by all governmental agencies in the waters of state~~
2034 ~~responsibility. If the level of maintenance control achieved~~
2035 ~~falls short of that which is deemed adequate by the department,~~
2036 ~~then the report shall include an estimate of the additional~~
2037 ~~funding that would have been required to achieve this level of~~
2038 ~~maintenance control. All measures of maintenance program~~
2039 ~~achievement and the related cost shall be presented by water~~
2040 ~~management districts so that comparisons may be made among the~~
2041 ~~water management districts, as well as with the state as a whole.~~

2042 Section 75. Subsection (8) of section 370.26, Florida
2043 Statutes, is repealed.

2044 Section 76. Subsection (2) of section 372.5712, Florida
2045 Statutes, is amended to read:

2046 372.5712 Florida waterfowl permit revenues.--

2047 (2) The intent of this section is to expand waterfowl
2048 research and management and increase waterfowl populations in the
2049 state without detracting from other programs. The commission
2050 shall prepare and make available on its Internet website an
2051 annual report documenting the use of funds generated under ~~the~~
2052 ~~provisions of this section, to be submitted to the Governor, the~~
2053 ~~Speaker of the House of Representatives, and the President of the~~
2054 ~~Senate on or before September 1 of each year.~~

2055 Section 77. Subsection (2) of section 372.5715, Florida
2056 Statutes, is amended to read:

2057 372.5715 Florida wild turkey permit revenues.--

2058 (2) The intent of this section is to expand wild turkey
2059 research and management and to increase wild turkey populations

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2060 in the state without detracting from other programs. The
2061 commission shall prepare and make available on its Internet
2062 website an annual report documenting the use of funds generated
2063 ~~under the provisions of this section, to be submitted to the~~
2064 ~~Governor, the Speaker of the House of Representatives, and the~~
2065 ~~President of the Senate on or before September 1 of each year.~~

2066 Section 78. Section 372.673, Florida Statutes, is repealed.

2067 Section 79. Section 373.0391, Florida Statutes, is amended
2068 to read:

2069 373.0391 Technical assistance to local governments.--

2070 ~~(1)~~ The water management districts shall assist local
2071 governments in the development and future revision of local
2072 government comprehensive plan elements or public facilities
2073 report as required by s. 189.415, related to water resource
2074 issues.

2075 ~~(2) By July 1, 1991, each water management district shall~~
2076 ~~prepare and provide information and data to assist local~~
2077 ~~governments in the preparation and implementation of their local~~
2078 ~~government comprehensive plans or public facilities report as~~
2079 ~~required by s. 189.415, whichever is applicable. Such~~
2080 ~~information and data shall include, but not be limited to:~~

2081 ~~(a) All information and data required in a public~~
2082 ~~facilities report pursuant to s. 189.415.~~

2083 ~~(b) A description of regulations, programs, and schedules~~
2084 ~~implemented by the district.~~

2085 ~~(c) Identification of regulations, programs, and schedules~~
2086 ~~undertaken or proposed by the district to further the State~~
2087 ~~Comprehensive Plan.~~

2088 ~~(d) A description of surface water basins, including~~

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2089 ~~regulatory jurisdictions, flood-prone areas, existing and~~
2090 ~~projected water quality in water management district-operated~~
2091 ~~facilities, as well as surface water runoff characteristics and~~
2092 ~~topography regarding flood plains, wetlands, and recharge areas.~~

2093 ~~(e) A description of groundwater characteristics, including~~
2094 ~~existing and planned wellfield sites, existing and anticipated~~
2095 ~~cones of influence, highly productive groundwater areas, aquifer~~
2096 ~~recharge areas, deep well injection zones, contaminated areas, an~~
2097 ~~assessment of regional water resource needs and sources for the~~
2098 ~~next 20 years, and water quality.~~

2099 ~~(f) The identification of existing and potential water~~
2100 ~~management district land acquisitions.~~

2101 ~~(g) Information reflecting the minimum flows for surface~~
2102 ~~watercourses to avoid harm to water resources or the ecosystem~~
2103 ~~and information reflecting the minimum water levels for aquifers~~
2104 ~~to avoid harm to water resources or the ecosystem.~~

2105 Section 80. Subsection (4) of section 373.046, Florida
2106 Statutes, is amended to read:

2107 373.046 Interagency agreements.--

2108 (4) The Legislature recognizes and affirms the division of
2109 responsibilities between the department and the water management
2110 districts as set forth in ss. III. and X. of each of the
2111 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
2112 and 5., Florida Administrative Code. Section IV.A.2.a. of each
2113 operating agreement regarding individual permit oversight is
2114 rescinded. The department shall be responsible for permitting
2115 those activities under part IV of this chapter which, because of
2116 their complexity and magnitude, need to be economically and
2117 efficiently evaluated at the state level, including, but not

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2118 | limited to, mining, hazardous waste management facilities and
2119 | solid waste management facilities that do not qualify for a
2120 | general permit under chapter 403. With regard to
2121 | postcertification information submittals for activities
2122 | authorized under chapters 341 and 403 siting act certifications,
2123 | the department, after consultation with the appropriate water
2124 | management district and other agencies having applicable
2125 | regulatory jurisdiction, shall be responsible for determining the
2126 | permittee's compliance with conditions of certification that are
2127 | ~~which were~~ based upon the nonprocedural requirements of part IV
2128 | of this chapter. ~~The Legislature authorizes~~ The water management
2129 | districts and the department may ~~to~~ modify the division of
2130 | responsibilities referenced in this section and enter into
2131 | further interagency agreements by rulemaking, including
2132 | incorporation by reference, pursuant to chapter 120, to provide
2133 | for greater efficiency and to avoid duplication in the
2134 | administration of part IV of this chapter by designating those
2135 | ~~certain~~ activities that ~~which~~ will be regulated by either the
2136 | water management districts or the department. In developing such
2137 | interagency agreements, the water management districts and the
2138 | department should take into consideration the technical and
2139 | fiscal ability of each water management district to implement all
2140 | or some of the provisions of part IV of this chapter. Nothing
2141 | herein rescinds or restricts the authority of the districts to
2142 | regulate silviculture and agriculture pursuant to part IV of this
2143 | chapter or s. 403.927. ~~By December 10, 1993, the secretary of the~~
2144 | ~~department shall submit a report to the President of the Senate~~
2145 | ~~and the Speaker of the House of Representatives regarding the~~
2146 | ~~efficiency of the procedures and the division of responsibilities~~

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2147 ~~contemplated by this subsection and regarding progress toward the~~
2148 ~~execution of further interagency agreements and the integration~~
2149 ~~of permitting with sovereignty lands approval. The report also~~
2150 ~~will consider the feasibility of improving the protection of the~~
2151 ~~environment through comprehensive criteria for protection of~~
2152 ~~natural systems.~~

2153 Section 81. Subsection (14) of section 376.121, Florida
2154 Statutes, is repealed.

2155 Section 82. Section 376.17, Florida Statutes, is repealed.

2156 Section 83. Subsection (5) of section 376.30713, Florida
2157 Statutes, is repealed.

2158 Section 84. Paragraph (f) of subsection (3) of section
2159 377.703, Florida Statutes, is amended to read:

2160 377.703 Additional functions of the Department of
2161 Environmental Protection; energy emergency contingency plan;
2162 federal and state conservation programs.--

2163 (3) DEPARTMENT OF ENVIRONMENTAL PROTECTION; DUTIES.--The
2164 Department of Environmental Protection shall, in addition to
2165 assuming the duties and responsibilities provided by ss. 20.255
2166 and 377.701, perform the following functions consistent with the
2167 development of a state energy policy:

2168 (f) The department shall prepare ~~make~~ a report, as
2169 requested by the Governor or the Legislature, reflecting its
2170 activities and making recommendations ~~of policies~~ for improvement
2171 of the state's response to energy supply and demand and its
2172 effect on the health, safety, and welfare of the people of
2173 Florida. The report shall include ~~a report from the Florida~~
2174 ~~Public Service Commission on electricity and natural gas and~~
2175 ~~information on energy conservation programs conducted and under~~

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2176 ~~way in the past year and shall include~~ recommendations for energy
2177 conservation programs for the state, including, but not limited
2178 to, ~~the following factors:~~

2179 1. Formulation of specific recommendations for improving
2180 ~~improvement in~~ the efficiency of energy utilization in
2181 governmental, residential, commercial, industrial, and
2182 transportation sectors.

2183 2. Collection and dissemination of information relating to
2184 energy conservation.

2185 3. Development and conduct of educational and training
2186 programs relating to energy conservation.

2187 4. An analysis of the ways in which state agencies are
2188 seeking to implement s. 377.601(4), the state energy policy, and
2189 recommendations for better fulfilling this policy.

2190 Section 85. Paragraph (a) of subsection (2) of section
2191 380.06, Florida Statutes, is amended to read:

2192 380.06 Developments of regional impact.--

2193 (2) STATEWIDE GUIDELINES AND STANDARDS.--

2194 (a) The state land planning agency shall recommend to the
2195 Administration Commission specific statewide guidelines and
2196 standards for adoption pursuant to this subsection. The
2197 Administration Commission shall by rule adopt statewide
2198 guidelines and standards to be used in determining whether
2199 particular developments shall undergo development-of-regional-
2200 impact review. The statewide guidelines and standards previously
2201 adopted by the Administration Commission and approved by the
2202 Legislature shall remain in effect unless revised pursuant to
2203 this section or superseded by other provisions of law. ~~Revisions~~
2204 ~~to the present statewide guidelines and standards, after adoption~~

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2205 ~~by the Administration Commission, shall be transmitted on or~~
2206 ~~before March 1 to the President of the Senate and the Speaker of~~
2207 ~~the House of Representatives for presentation at the next regular~~
2208 ~~session of the Legislature. Unless approved by law by the~~
2209 ~~Legislature, the revisions to the present guidelines and~~
2210 ~~standards shall not become effective.~~

2211 Section 86. Subsection (3) of section 380.0677, Florida
2212 Statutes, is repealed.

2213 Section 87. Subsection (3) of section 381.0011, Florida
2214 Statutes, is repealed.

2215 Section 88. Section 381.0036, Florida Statutes, is
2216 repealed.

2217 Section 89. Section 381.731, Florida Statutes, is repealed.

2218 Section 90. Section 381.795, Florida Statutes, is amended
2219 to read:

2220 381.795 Long-term community-based supports.--The department
2221 shall, contingent upon specific appropriations for these
2222 purposes, establish:

2223 ~~(1) Study the long-term needs for community-based supports~~
2224 ~~and services for individuals who have sustained traumatic brain~~
2225 ~~or spinal cord injuries. The purpose of this study is to prevent~~
2226 ~~inappropriate residential and institutional placement of these~~
2227 ~~individuals, and promote placement in the most cost effective and~~
2228 ~~least restrictive environment. Any placement recommendations for~~
2229 ~~these individuals shall ensure full utilization of and~~
2230 ~~collaboration with other state agencies, programs, and community~~
2231 ~~partners. This study shall be submitted to the Governor, the~~
2232 ~~President of the Senate, and the Speaker of the House of~~
2233 ~~Representatives not later than December 31, 2000.~~

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2234 ~~(2) Based upon the results of this study, establish a plan~~
2235 ~~for the implementation of~~ a program of long-term community-based
2236 supports and services for individuals who have sustained
2237 traumatic brain or spinal cord injuries who may be subject to
2238 inappropriate residential and institutional placement as a direct
2239 result of such injuries.

2240 (1) ~~(a)~~ The program shall be payor of last resort for
2241 program services, and expenditures for ~~such~~ services shall be
2242 considered funded services for purposes of s. 381.785; however,
2243 notwithstanding s. 381.79(5), proceeds resulting from this
2244 subsection shall be used solely for this program.

2245 (2) ~~(b)~~ The department shall adopt ~~create~~, by rule,
2246 procedures to ensure, that if ~~in the event~~ the program is unable
2247 to directly or indirectly provide ~~such~~ services to all eligible
2248 individuals due to lack of funds, those individuals most at risk
2249 of suffering ~~to suffer~~ the greatest harm from an imminent
2250 inappropriate residential or institutional placement are served
2251 first.

2252 (3) ~~(e)~~ Every applicant or recipient of the long-term
2253 community-based supports and services program must ~~shall~~ have
2254 been a resident of the state for 1 year immediately preceding
2255 application and be a resident of the state at the time of
2256 application.

2257 (4) ~~(d)~~ The department shall adopt rules pursuant to ss.
2258 120.536(1) and 120.54 to administer ~~implement the provision of~~
2259 this section ~~subsection~~.

2260 Section 91. Section 381.931, Florida Statutes, is amended
2261 to read:

2262 381.931 Annual report on Medicaid expenditures.--The

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2263 Department of Health and the Agency for Health Care
2264 Administration shall monitor the total Medicaid expenditures for
2265 services made under this act. If Medicaid expenditures are
2266 projected to exceed the amount appropriated by the Legislature,
2267 the Department of Health shall limit the number of screenings to
2268 ensure Medicaid expenditures do not exceed the amount
2269 appropriated. ~~The Department of Health, in cooperation with the~~
2270 ~~Agency for Health Care Administration, shall prepare an annual~~
2271 ~~report that must include the number of women screened; the~~
2272 ~~percentage of positive and negative outcomes; the number of~~
2273 ~~referrals to Medicaid and other providers for treatment services;~~
2274 ~~the estimated number of women who are not screened or not served~~
2275 ~~by Medicaid due to funding limitations, if any; the cost of~~
2276 ~~Medicaid treatment services; and the estimated cost of treatment~~
2277 ~~services for women who were not screened or referred for~~
2278 ~~treatment due to funding limitations. The report shall be~~
2279 ~~submitted to the President of the Senate, the Speaker of the~~
2280 ~~House of Representatives, and the Executive Office of the~~
2281 ~~Governor by March 1 of each year.~~

2282 Section 92. Subsection (6) of section 383.19, Florida
2283 Statutes, is amended to read:

2284 383.19 Standards; funding; ineligibility.--

2285 (6) Each hospital that ~~which~~ contracts with the department
2286 to provide services under the terms of ss. 383.15-383.21 shall
2287 prepare and submit to the department an annual report that
2288 includes, but is not limited to, the number of clients served and
2289 the costs of services in the center. The department shall
2290 annually conduct a programmatic and financial evaluation of each
2291 center.

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2292 Section 93. Section 383.21, Florida Statutes, is repealed.

2293 Section 94. Section 383.2161, Florida Statutes, is amended
2294 to read:

2295 383.2161 Maternal and child health report.--The Department
2296 of Health ~~annually~~ shall annually compile and analyze the risk
2297 information collected by the Office of Vital Statistics and the
2298 district prenatal and infant care coalitions and shall maintain
2299 county and statewide data on ~~prepare and submit to the~~
2300 ~~Legislature by January 2 a report that includes, but is not~~
2301 ~~limited to:~~

2302 (1) The number of families identified as families at
2303 potential risk;

2304 (2) The number of families that receive family outreach
2305 services;

2306 (3) The increase in demand for services; and

2307 (4) The unmet need for services for identified target
2308 groups.

2309 Section 95. Subsection (4) of section 394.4573, Florida
2310 Statutes, is repealed.

2311 Section 96. Subsection (1) of section 394.4985, Florida
2312 Statutes, is amended to read:

2313 394.4985 Districtwide information and referral network;
2314 implementation.--

2315 (1) Each service district of the Department of Children and
2316 Family Services shall develop a detailed implementation plan for
2317 a districtwide comprehensive child and adolescent mental health
2318 information and referral network to be operational by July 1,
2319 1999. The plan must include an operating budget that demonstrates
2320 cost efficiencies and identifies funding sources for the district

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2321 information and referral network. ~~The plan must be submitted by~~
2322 ~~the department to the Legislature by October 1, 1998.~~ The
2323 district shall use existing district information and referral
2324 providers if, in the development of the plan, it is concluded
2325 that these providers would deliver information and referral
2326 services in a more efficient and effective manner when compared
2327 to other alternatives. The district information and referral
2328 network must include:

2329 (a) A resource file that contains information about the
2330 child and adolescent mental health services as described in s.
2331 394.495, including, but not limited to:

- 2332 1. Type of program;
- 2333 2. Hours of service;
- 2334 3. Ages of persons served;
- 2335 4. Program description;
- 2336 5. Eligibility requirements; and
- 2337 6. Fees.

2338 (b) Information about private providers and professionals
2339 in the community which serve children and adolescents with an
2340 emotional disturbance.

2341 (c) A system to document requests for services that are
2342 received through the network referral process, including, but not
2343 limited to:

- 2344 1. Number of calls by type of service requested;
- 2345 2. Ages of the children and adolescents for whom services
2346 are requested; and
- 2347 3. Type of referral made by the network.

2348 (d) The ability to share client information with the
2349 appropriate community agencies.

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2350 ~~(c) The submission of an annual report to the department,~~
2351 ~~the Agency for Health Care Administration, and appropriate local~~
2352 ~~government entities, which contains information about the sources~~
2353 ~~and frequency of requests for information, types and frequency of~~
2354 ~~services requested, and types and frequency of referrals made.~~

2355 Section 97. Section 394.75, Florida Statutes, is amended to
2356 read:

2357 394.75 State and district substance abuse and mental health
2358 plans.--

2359 ~~(1)(a) Every 3 years, beginning in 2001,~~ The department, in
2360 consultation with the Medicaid program in the Agency for Health
2361 Care Administration and the Florida Substance Abuse and Mental
2362 Health Corporation, shall prepare a state ~~master~~ plan for the
2363 delivery and financing of a system of publicly funded, community-
2364 based substance abuse and mental health services throughout the
2365 state. The state plan must include:

2366 ~~(b) The initial plan must include an assessment of the~~
2367 ~~clinical practice guidelines and standards for community-based~~
2368 ~~mental health and substance abuse services delivered by persons~~
2369 ~~or agencies under contract with the Department of Children and~~
2370 ~~Family Services. The assessment must include an inventory of~~
2371 ~~current clinical guidelines and standards used by persons and~~
2372 ~~agencies under contract with the department, and by nationally~~
2373 ~~recognized accreditation organizations, to address the quality of~~
2374 ~~care and must specify additional clinical practice standards and~~
2375 ~~guidelines for new or existing services and programs.~~

2376 (a)(c) Proposed The plan must propose changes in department
2377 policy or statutory revisions to strengthen the quality of mental
2378 health and substance abuse treatment and support services.

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2379 (b)~~(d)~~ The plan must identify Strategies for meeting the
2380 treatment and support needs of children, adolescents, adults, and
2381 older adults who have, or are at risk of having, mental,
2382 emotional, or substance abuse problems as defined in this chapter
2383 or chapter 397.

2384 (c)~~(e)~~ The plan must include Input from persons who
2385 represent local communities; local government entities that
2386 contribute funds to the local substance abuse and mental health
2387 treatment systems; consumers of publicly funded substance abuse
2388 and mental health services, and their families; and stakeholders
2389 interested in mental health and substance abuse services. The
2390 plan must describe the means by which this local input occurred.
2391 ~~The plan shall be updated annually.~~

2392 ~~(f) The plan must include statewide policies and planning
2393 parameters that will be used by the health and human services
2394 boards in preparing the district substance abuse and mental
2395 health plans.~~

2396 ~~(g) The district plans shall be one component of the state
2397 master plan.~~

2398 ~~(2) The state master plan shall also include:~~

2399 ~~(a) A proposal for the development of a data system that
2400 will evaluate the effectiveness of programs and services provided
2401 to clients of the substance abuse and mental health service
2402 system.~~

2403 ~~(b) A proposal to resolve the funding discrepancies between
2404 districts.~~

2405 (d)~~(e)~~ A methodology for the allocation of resources
2406 available from federal, state, and local sources and a
2407 description of the current level of funding available from each

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2408 source.

2409 (e)~~(d)~~ A description of the statewide priorities for
2410 clients and services, and each district's priorities for clients
2411 and services.

2412 ~~(e) Recommendations for methods of enhancing local
2413 participation in the planning, organization, and financing of
2414 substance abuse and mental health services.~~

2415 ~~(f) A description of the current methods of contracting for
2416 services, an assessment of the efficiency of these methods in
2417 providing accountability for contracted funds, and
2418 recommendations for improvements to the system of contracting.~~

2419 (f)~~(g)~~ Recommendations for improving access to services by
2420 clients and their families.

2421 ~~(h) Guidelines and formats for the development of district
2422 plans.~~

2423 (g)~~(i)~~ Recommendations for future directions for the
2424 substance abuse and mental health service delivery system.

2425 (2) A schedule, format, and procedure for development, and
2426 review, and update of the ~~state master~~ plan shall be adopted by
2427 the department ~~by June of each year~~. The plan and ~~annual~~ updates
2428 shall ~~must~~ be submitted to the Governor and the Legislature
2429 beginning February 10, 2009, and every 3rd year thereafter
2430 ~~President of the Senate and the Speaker of the House of~~
2431 ~~Representatives by January 1 of each year, beginning January 1,~~
2432 ~~2001.~~

2433 (3) Each ~~The district health and human services board~~ shall
2434 prepare an integrated district substance abuse and mental health
2435 plan. The plan shall be prepared and updated on a schedule
2436 established by the Assistant Secretary for Substance Abuse

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2437 ~~Alcohol, Drug Abuse, and Mental Health Program Office. The plan~~
2438 ~~shall reflect the needs and program priorities established by the~~
2439 ~~department and the needs of the district established under ss.~~
2440 ~~394.674 and 394.675. The district plan must ~~list in order of~~~~
2441 ~~priority the mental health and the substance abuse treatment~~
2442 ~~needs of the district and must rank each program separately. The~~
2443 ~~plan shall include:~~

2444 ~~(a) A record of the total amount of money available in the~~
2445 ~~district for mental health and substance abuse services.~~

2446 ~~(b) A description of each service that will be purchased~~
2447 ~~with state funds.~~

2448 ~~(c) A record of the amount of money allocated for each~~
2449 ~~service identified in the plan as being purchased with state~~
2450 ~~funds.~~

2451 ~~(d) A record of the total funds allocated to each provider.~~

2452 ~~(e) A record of the total funds allocated to each provider~~
2453 ~~by type of service to be purchased with state funds.~~

2454 ~~(a)~~ (f) Include input from community-based persons,
2455 organizations, and agencies interested in substance abuse and
2456 mental health treatment services; local government entities that
2457 contribute funds to the public substance abuse and mental health
2458 treatment systems; and consumers of publicly funded substance
2459 abuse and mental health services, and their family members. The
2460 plan must describe the means by which this local input occurred.

2461
2462 ~~The plan shall be submitted by the district board to the district~~
2463 ~~administrator and to the governing bodies for review, comment,~~
2464 ~~and approval.~~

2465 ~~(4) The district plan shall:~~

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2466 ~~(a) Describe the publicly funded, community based substance~~
2467 ~~abuse and mental health system of care, and identify statutorily~~
2468 ~~defined populations, their service needs, and the resources~~
2469 ~~available and required to meet their needs.~~

2470 ~~(b) Provide the means for meeting the needs of the~~
2471 ~~district's eligible clients, specified in ss. 394.674 and~~
2472 ~~394.675, for substance abuse and mental health services.~~

2473 (b)(e) Provide a process for coordinating the delivery of
2474 services within a community-based system of care to eligible
2475 clients. The ~~Such~~ process must involve service providers,
2476 clients, and other stakeholders. The process must also provide a
2477 means by which providers will coordinate and cooperate to
2478 strengthen linkages, achieve maximum integration of services,
2479 foster efficiencies in service delivery and administration, and
2480 designate responsibility for outcomes for eligible clients.

2481 (c)(d) Provide a projection of district program and fiscal
2482 needs for the next fiscal year, provide for the orderly and
2483 economical development of needed services, and indicate
2484 priorities and resources for each population served, performance
2485 outcomes, and anticipated expenditures and revenues.

2486 ~~(e) Include a summary budget request for the total district~~
2487 ~~substance abuse and mental health program, which must include the~~
2488 ~~funding priorities established by the district planning process.~~

2489 ~~(f) Provide a basis for the district legislative budget~~
2490 ~~request.~~

2491 ~~(g) Include a policy and procedure for allocation of funds.~~

2492 ~~(h) Include a procedure for securing local matching funds.~~
2493 ~~Such a procedure shall be developed in consultation with~~
2494 ~~governing bodies and service providers.~~

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2495 (d)(i) Provide for the integration of substance abuse and
2496 mental health services with the other departmental programs and
2497 with the criminal justice, juvenile justice, child protection,
2498 school, and health care systems within the district.

2499 ~~(j) Provide a plan for the coordination of services in such~~
2500 ~~manner as to ensure effectiveness and avoid duplication,~~
2501 ~~fragmentation of services, and unnecessary expenditures.~~

2502 (e)(k) Provide for continuity of client care between state
2503 treatment facilities and community programs to assure that
2504 discharge planning results in the rapid application for all
2505 benefits for which a client is eligible, including Medicaid
2506 coverage for persons leaving state treatment facilities and
2507 returning to community-based programs.

2508 ~~(l) Provide for the most appropriate and economical use of~~
2509 ~~all existing public and private agencies and personnel.~~

2510 ~~(m) Provide for the fullest possible and most appropriate~~
2511 ~~participation by existing programs; state hospitals and other~~
2512 ~~hospitals; city, county, and state health and family service~~
2513 ~~agencies; drug abuse and alcoholism programs; probation~~
2514 ~~departments; physicians; psychologists; social workers; marriage~~
2515 ~~and family therapists; mental health counselors; clinical social~~
2516 ~~workers; public health nurses; school systems; and all other~~
2517 ~~public and private agencies and personnel that are required to,~~
2518 ~~or may agree to, participate in the plan.~~

2519 ~~(n) Include an inventory of all public and private~~
2520 ~~substance abuse and mental health resources within the district,~~
2521 ~~including consumer advocacy groups and self-help groups known to~~
2522 ~~the department.~~

2523 (4)(5) The district plan shall address how substance abuse

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2524 and mental health services will be provided and how a system of
2525 care for target populations will be provided given the resources
2526 available in the service district. The plan must include
2527 provisions for providing the most appropriate and current
2528 evidence-based services for persons with substance abuse
2529 disorders and mental illnesses in a variety of settings
2530 ~~maximizing client access to the most recently developed~~
2531 ~~psychiatric medications approved by the United States Food and~~
2532 ~~Drug Administration, for developing independent housing units~~
2533 ~~through participation in the Section 811 program operated by the~~
2534 ~~United States Department of Housing and Urban Development, for~~
2535 ~~developing supported employment services through the Division of~~
2536 ~~Vocational Rehabilitation of the Department of Education, for~~
2537 ~~providing treatment services to persons with co-occurring mental~~
2538 ~~illness and substance abuse problems which are integrated across~~
2539 ~~treatment systems, and for providing services to adults who have~~
2540 ~~a serious mental illness, as defined in s. 394.67, and who reside~~
2541 ~~in assisted living facilities.~~

2542 ~~(6) The district plan shall provide the means by which the~~
2543 ~~needs of the population groups specified pursuant to s. 394.674~~
2544 ~~will be addressed in the district.~~

2545 ~~(7) In developing the district plan, optimum use shall be~~
2546 ~~made of any federal, state, and local funds that may be available~~
2547 ~~for substance abuse and mental health service planning. However,~~
2548 ~~the department must provide these services within legislative~~
2549 ~~appropriations.~~

2550 ~~(8) The district health and human services board shall~~
2551 ~~establish a subcommittee to prepare the portion of the district~~
2552 ~~plan relating to children and adolescents. The subcommittee shall~~

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2553 ~~include representative membership of any committee organized or~~
2554 ~~established by the district to review placement of children and~~
2555 ~~adolescents in residential treatment programs. The board shall~~
2556 ~~establish a subcommittee to prepare the portion of the district~~
2557 ~~plan which relates to adult mental health and substance abuse.~~
2558 ~~The subcommittee must include representatives from the community~~
2559 ~~who have an interest in mental health and substance abuse~~
2560 ~~treatment for adults.~~

2561 (5)~~(9)~~ All departments of state government and all local
2562 public agencies shall cooperate with officials to assist them in
2563 service planning. ~~Each district administrator shall, upon request~~
2564 ~~and the availability of staff, provide consultative services to~~
2565 ~~the local agency directors and governing bodies.~~

2566 ~~(10) The district administrator shall ensure that the~~
2567 ~~district plan:~~

2568 ~~(a) Conforms to the priorities in the state plan, the~~
2569 ~~requirements of this part, and the standards adopted under this~~
2570 ~~part;~~

2571 ~~(b) Ensures that the most effective and economical use will~~
2572 ~~be made of available public and private substance abuse and~~
2573 ~~mental health resources in the service district; and~~

2574 ~~(c) Has adequate provisions made for review and evaluation~~
2575 ~~of the services provided in the service district.~~

2576 ~~(11) The district administrator shall require such~~
2577 ~~modifications in the district plan as he or she deems necessary~~
2578 ~~to bring the plan into conformance with the provisions of this~~
2579 ~~part. If the district board and the district administrator cannot~~
2580 ~~agree on the plan, including the projected budget, the issues~~
2581 ~~under dispute shall be submitted directly to the secretary of the~~

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2582 ~~department for immediate resolution.~~

2583 ~~(12) Each governing body that provides local funds has the~~
2584 ~~authority to require necessary modification to only that portion~~
2585 ~~of the district plan which affects substance abuse and mental~~
2586 ~~health programs and services within the jurisdiction of that~~
2587 ~~governing body.~~

2588 ~~(13) The district administrator shall report annually to~~
2589 ~~the district board the status of funding for priorities~~
2590 ~~established in the district plan. Each report must include:~~

2591 ~~(a) A description of the district plan priorities that were~~
2592 ~~included in the district legislative budget request.~~

2593 ~~(b) A description of the district plan priorities that were~~
2594 ~~included in the departmental budget request.~~

2595 ~~(c) A description of the programs and services included in~~
2596 ~~the district plan priorities that were appropriated funds by the~~
2597 ~~Legislature in the legislative session that preceded the report.~~

2598 Section 98. Section 394.82, Florida Statutes, is repealed.

2599 Section 99. Paragraph (a) of subsection (4), paragraph (h)
2600 of subsection (7), and subsection (8) of section 394.9082,
2601 Florida Statutes, are amended to read:

2602 394.9082 Behavioral health service delivery strategies.--

2603 (4) CONTRACT FOR SERVICES.--

2604 (a) The Department of Children and Family Services and the
2605 Agency for Health Care Administration may contract for the
2606 provision or management of behavioral health services with a
2607 managing entity in at least two geographic areas. Both the
2608 ~~department of Children and Family Services and the agency for~~
2609 ~~Health Care Administration~~ must contract with the same managing
2610 entity in any distinct geographic area where the strategy

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2611 operates. The ~~This~~ managing entity shall, ~~be accountable~~ at a
2612 minimum, be accountable for the delivery of behavioral health
2613 services specified and funded by the department and the agency.
2614 The geographic area must be of sufficient size in population and
2615 have enough public funds for behavioral health services to allow
2616 for flexibility and maximum efficiency. ~~Notwithstanding the~~
2617 ~~provisions of s. 409.912(4)(b)1.~~ At least one service delivery
2618 strategy must be in one of the service districts in the catchment
2619 area of G. Pierce Wood Memorial Hospital.

2620 (7) ESSENTIAL ELEMENTS.--

2621 ~~(h)1. The Department of Children and Family Services, in~~
2622 ~~consultation with the Agency for Health Care Administration,~~
2623 ~~shall prepare an amendment by October 31, 2001, to the 2001~~
2624 ~~master state plan required under s. 394.75(1), which describes~~
2625 ~~each service delivery strategy, including at least the following~~
2626 ~~details:~~

2627 a. ~~Operational design;~~

2628 b. ~~Counties or service districts included in each strategy;~~

2629 c. ~~Expected outcomes; and~~

2630 d. ~~Timeframes.~~

2631 2. ~~The amendment shall specifically address the application~~
2632 ~~of each service delivery strategy to substance abuse services,~~
2633 ~~including:~~

2634 a. ~~The development of substance abuse service protocols;~~

2635 b. ~~Credentialing requirements for substance abuse services;~~

2636 and

2637 c. ~~The development of new service models for individuals~~
2638 ~~with co-occurring mental health and substance abuse disorders.~~

2639 3. ~~The amendment must specifically address the application~~

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2640 ~~of each service delivery strategy to the child welfare system,~~
2641 ~~including:~~

2642 ~~a. The development of service models that support working~~
2643 ~~with both children and their families in a community-based care~~
2644 ~~system and that are specific to the child welfare system.~~

2645 ~~b. A process for providing services to abused and neglected~~
2646 ~~children and their families as indicated in court-ordered case~~
2647 ~~plans.~~

2648 (8) EXPANSION IN DISTRICTS 4 AND 12.--The department shall
2649 work with community agencies to establish a single managing
2650 entity for districts 4 and 12 accountable for the delivery of
2651 substance abuse services to child protective services recipients
2652 in the two districts. The purpose of this strategy is to enhance
2653 the coordination of substance abuse services with community-based
2654 care agencies and the department. The department shall work with
2655 affected stakeholders to develop and implement a plan that allows
2656 the phase-in of services beginning with the delivery of substance
2657 abuse services, with phase-in of subsequent substance abuse
2658 services agreed upon by the managing entity and authorized by the
2659 department, providing the necessary technical assistance to
2660 assure provider and district readiness for implementation. When a
2661 single managing entity is established and meets readiness
2662 requirements, the department may enter into a noncompetitive
2663 contract with the entity. The department shall maintain detailed
2664 information on the methodology used for selection and a
2665 justification for the selection. Performance objectives shall be
2666 developed which ensure that services ~~that are~~ delivered directly
2667 affect and complement the child's permanency plan. During the
2668 initial planning and implementation phase ~~of this project~~, the

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2669 requirements in subsections (6) and (7) are waived. Considering
2670 the critical substance abuse problems experienced by many
2671 families in the child protection system, the department shall
2672 initiate the implementation of the substance abuse delivery
2673 component of this program without delay ~~and furnish status~~
2674 ~~reports to the appropriate substantive committees of the Senate~~
2675 ~~and the House of Representatives no later than February 29, 2004,~~
2676 ~~and February 28, 2005.~~ The integration of all services agreed
2677 upon by the managing entity and authorized by the department must
2678 be completed within 2 years after project initiation. Ongoing
2679 monitoring and evaluation of this strategy shall be conducted in
2680 accordance with subsection (9).

2681 Section 100. Section 394.9083, Florida Statutes, is
2682 repealed.

2683 Section 101. Paragraph (c) of subsection (2) of section
2684 395.807, Florida Statutes, is repealed.

2685 Section 102. Subsections (1) and (20) of section 397.321,
2686 Florida Statutes, are repealed.

2687 Section 103. Subsection (3) of section 397.332, Florida
2688 Statutes, is repealed.

2689 Section 104. Subsection (4) of section 397.333, Florida
2690 Statutes, is amended to read:

2691 397.333 Statewide Drug Policy Advisory Council.--

2692 (4)(a) The chairperson of the advisory council shall
2693 appoint workgroups that include members of state agencies that
2694 are not represented on the advisory council and shall solicit
2695 input and recommendations from those state agencies. In addition,
2696 the chairperson may appoint workgroups as necessary from among
2697 the members of the advisory council ~~in order~~ to efficiently

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2698 address specific issues. A representative of a state agency
2699 appointed to any workgroup shall be the head of the agency, or
2700 his or her designee. The chairperson may designate lead and
2701 contributing agencies within a workgroup.

2702 ~~(b) The advisory council shall submit a report to the~~
2703 ~~Governor, the President of the Senate, and the Speaker of the~~
2704 ~~House of Representatives by December 1 of each year which~~
2705 ~~contains a summary of the work of the council during that year~~
2706 ~~and the recommendations required under subsection (3). Interim~~
2707 ~~reports may be submitted at the discretion of the chairperson of~~
2708 ~~the advisory council.~~

2709 Section 105. Subsection (1) of section 397.94, Florida
2710 Statutes, is repealed.

2711 Section 106. Subsection (2) of section 400.148, Florida
2712 Statutes, is repealed.

2713 Section 107. Paragraph (a) of subsection (2) of section
2714 400.967, Florida Statutes, is amended to read:

2715 400.967 Rules and classification of deficiencies.--

2716 (2) Pursuant to the intention of the Legislature, the
2717 agency, in consultation with the Agency for Persons with
2718 Disabilities and the Department of Elderly Affairs, shall adopt
2719 and enforce rules to administer this part and part II of chapter
2720 408, which shall include reasonable and fair criteria governing:

2721 (a) The location and construction of the facility;
2722 including fire and life safety, plumbing, heating, cooling,
2723 lighting, ventilation, and other housing conditions that will
2724 ensure the health, safety, and comfort of residents. The agency
2725 shall establish standards for facilities and equipment to
2726 increase the extent to which new facilities and a new wing or

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2727 floor added to an existing facility after July 1, 2000, are
2728 structurally capable of serving as shelters only for residents,
2729 staff, and families of residents and staff, and equipped to be
2730 self-supporting during and immediately following disasters. ~~The~~
2731 ~~Agency for Health Care Administration shall work with facilities~~
2732 ~~licensed under this part and report to the Governor and the~~
2733 ~~Legislature by April 1, 2000, its recommendations for cost-~~
2734 ~~effective renovation standards to be applied to existing~~
2735 ~~facilities. In making such rules, the agency shall be guided by~~
2736 ~~criteria recommended by nationally recognized, reputable~~
2737 ~~professional groups and associations having knowledge concerning~~
2738 ~~such subject matters.~~ The agency shall update or revise such
2739 criteria as the need arises. All facilities must comply with
2740 those lifesafety code requirements and building code standards
2741 applicable at the time of approval of their construction plans.
2742 The agency may require alterations to a building if it determines
2743 that an existing condition constitutes a distinct hazard to life,
2744 health, or safety. The agency shall adopt fair and reasonable
2745 rules setting forth conditions under which existing facilities
2746 undergoing additions, alterations, conversions, renovations, or
2747 repairs are required to comply with the most recent updated or
2748 revised standards.

2749 Section 108. Subsection (3) of section 402.3016, Florida
2750 Statutes, is repealed.

2751 Section 109. Subsection (9) of section 402.40, Florida
2752 Statutes, is repealed.

2753 Section 110. Subsection (1) of section 403.4131, Florida
2754 Statutes, is amended to read:

2755 403.4131 Litter control.--

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2756 (1) The Department of Transportation shall establish an
2757 "adopt-a-highway" program to allow local organizations to be
2758 identified with specific highway cleanup and highway
2759 beautification projects authorized under s. 339.2405. ~~The~~
2760 ~~department shall report to the Governor and the Legislature on~~
2761 ~~the progress achieved and the savings incurred by the "adopt-a-~~
2762 ~~highway" program.~~ The department shall also monitor ~~and report on~~
2763 compliance with the provisions of the adopt-a-highway program to
2764 ensure that organizations that participate in the program comply
2765 with the goals identified by the department.

2766 Section 111. Paragraph (a) of subsection (4) of section
2767 406.02, Florida Statutes, is repealed.

2768 Section 112. Paragraph (g) of subsection (1) of section
2769 408.033, Florida Statutes, is amended to read:

2770 408.033 Local and state health planning.--

2771 (1) LOCAL HEALTH COUNCILS.--

2772 (g) Each local health council may ~~is authorized to~~ accept
2773 and receive, in furtherance of its health planning functions,
2774 funds, grants, and services from governmental agencies and from
2775 private or civic sources and to perform studies related to local
2776 health planning in exchange for such funds, grants, or services.
2777 Each ~~local health~~ council shall, no later than January 30 of each
2778 year, render an accounting of the receipt and disbursement of
2779 such funds received by it to the Department of Health. ~~The~~
2780 ~~department shall consolidate all such reports and submit such~~
2781 ~~consolidated report to the Legislature no later than March 1 of~~
2782 ~~each year.~~

2783 Section 113. Subsection (4) of section 408.914, Florida
2784 Statutes, is repealed.

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2785 Section 114. Paragraph (i) of subsection (3) of section
2786 408.915, Florida Statutes, is repealed.

2787 Section 115. Section 408.917, Florida Statutes, is
2788 repealed.

2789 Section 116. Paragraph (b) of subsection (7) of section
2790 409.1451, Florida Statutes, is amended to read:

2791 409.1451 Independent living transition services.--

2792 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The
2793 Secretary of Children and Family Services shall establish the
2794 Independent Living Services Advisory Council for the purpose of
2795 reviewing and making recommendations concerning the
2796 implementation and operation of the independent living transition
2797 services. This advisory council shall continue to function as
2798 specified in this subsection until the Legislature determines
2799 that the advisory council can no longer provide a valuable
2800 contribution to the department's efforts to achieve the goals of
2801 the independent living transition services.

2802 (b) The advisory council shall report to the secretary
2803 ~~appropriate substantive committees of the Senate and the House of~~
2804 ~~Representatives~~ on the status of the implementation of the system
2805 of independent living transition services; efforts to publicize
2806 the availability of aftercare support services, the Road-to-
2807 Independence Program, and transitional support services; the
2808 success of the services; problems identified; recommendations for
2809 department or legislative action; and the department's
2810 implementation of the recommendations contained in the
2811 Independent Living Services Integration Workgroup Report
2812 submitted to the Senate and the House substantive committees
2813 December 31, 2002. The department shall submit a report by

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2814 December 31 of each year to the Governor and the Legislature ~~This~~
2815 ~~advisory council report shall be submitted by December 31 of each~~
2816 ~~year that the council is in existence and shall be accompanied by~~
2817 ~~a report from the department which~~ includes a summary of the
2818 factors reported on by the council and identifies the
2819 recommendations of the advisory council and either describes the
2820 department's actions to implement these recommendations or
2821 provides the department's rationale for not implementing the
2822 recommendations.

2823 Section 117. Section 409.146, Florida Statutes, is
2824 repealed.

2825 Section 118. Section 409.152, Florida Statutes, is
2826 repealed.

2827 Section 119. Subsections (1) and (2) of section 409.1679,
2828 Florida Statutes, are repealed.

2829 Section 120. Section 409.1685, Florida Statutes, is amended
2830 to read:

2831 409.1685 Children in foster care; annual report to
2832 Legislature.--The Department of Children and Family Services
2833 shall submit a written report to the Governor and ~~substantive~~
2834 ~~committees~~ of the Legislature concerning the status of children
2835 in foster care and ~~concerning~~ the judicial review mandated by
2836 part X of chapter 39. The ~~This~~ report shall be submitted by May
2837 ~~March~~ 1 of each year and must ~~shall~~ include the following
2838 information for the prior calendar year:

2839 (1) The number of 6-month and annual judicial reviews
2840 completed during that period.

2841 (2) The number of children in foster care returned to a
2842 parent, guardian, or relative as a result of a 6-month or annual

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2843 | judicial review hearing during that period.

2844 | (3) The number of termination of parental rights
2845 | proceedings instituted during that period, including ~~which shall~~
2846 | ~~include:~~

2847 | (a) The number of termination of parental rights
2848 | proceedings initiated pursuant to former s. 39.703; and

2849 | (b) The total number of terminations of parental rights
2850 | ordered.

2851 | (4) The number of foster care children placed for adoption
2852 | ~~during that period.~~

2853 | Section 121. Paragraph (d) of subsection (5) of section
2854 | 409.178, Florida Statutes, is amended to read:

2855 | 409.178 Child Care Executive Partnership Act; findings and
2856 | intent; grant; limitation; rules.--

2857 | (5)

2858 | (d) Each community coordinated child care agency must ~~shall~~
2859 | ~~be required to~~ establish a community child care task force for
2860 | each child care purchasing pool. The task force must be composed
2861 | of employers, parents, private child care providers, and one
2862 | representative from the local children's services council, if one
2863 | exists in the area of the purchasing pool. The community
2864 | coordinated child care agency is expected to recruit the task
2865 | force members from existing child care councils, commissions, or
2866 | task forces already operating in the area of a purchasing pool. A
2867 | majority of the task force must ~~shall~~ consist of employers. ~~Each~~
2868 | ~~task force shall develop a plan for the use of child care~~
2869 | ~~purchasing pool funds. The plan must show how many children will~~
2870 | ~~be served by the purchasing pool, how many will be new to~~
2871 | ~~receiving child care services, and how the community coordinated~~

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2872 ~~child care agency intends to attract new employers and their~~
2873 ~~employees to the program.~~

2874 Section 122. Paragraph (k) of subsection (4) of section
2875 409.221, Florida Statutes, is repealed.

2876 Section 123. Paragraph (a) of subsection (3) of section
2877 409.25575, Florida Statutes, is amended to read:

2878 409.25575 Support enforcement; privatization.--

2879 (3) (a) The department shall establish a quality assurance
2880 program for the privatization of services. The ~~quality assurance~~
2881 program must include standards for each specific component of
2882 these services. The department shall establish minimum thresholds
2883 for each component. Each program operated pursuant to contract
2884 must be evaluated annually by the department or by an objective
2885 competent entity designated by the department under the
2886 provisions of the quality assurance program. The evaluation must
2887 be financed from cost savings associated with the privatization
2888 of services. ~~The department shall submit an annual report~~
2889 ~~regarding quality performance, outcome measure attainment, and~~
2890 ~~cost efficiency to the President of the Senate, the Speaker of~~
2891 ~~the House of Representatives, the Minority leader of each house~~
2892 ~~of the Legislature, and the Governor no later than January 31 of~~
2893 ~~each year, beginning in 1999.~~ The quality assurance program must
2894 be financed through administrative savings generated by this act.

2895 Section 124. Subsection (8) of section 409.2558, Florida
2896 Statutes, is amended to read:

2897 409.2558 Support distribution and disbursement.--

2898 (8) RULEMAKING AUTHORITY.--The department may adopt rules
2899 to administer this section. ~~The department shall provide a draft~~
2900 ~~of the proposed concepts for the rule for the undistributable~~

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2901 ~~collections to interested parties for review and recommendations~~
2902 ~~prior to full development of the rule and initiating the formal~~
2903 ~~rule development process. The department shall consider but is~~
2904 ~~not required to implement the recommendations. The department~~
2905 ~~shall provide a report to the President of the Senate and the~~
2906 ~~Speaker of the House of Representatives containing the~~
2907 ~~recommendations received from interested parties and the~~
2908 ~~department's response regarding incorporating the recommendations~~
2909 ~~into the rule.~~

2910 Section 125. Subsection (3) of section 409.441, Florida
2911 Statutes, is repealed.

2912 Section 126. Subsection (24) of section 409.906, Florida
2913 Statutes, is amended to read:

2914 409.906 Optional Medicaid services.--Subject to specific
2915 appropriations, the agency may make payments for services which
2916 are optional to the state under Title XIX of the Social Security
2917 Act and are furnished by Medicaid providers to recipients who are
2918 determined to be eligible on the dates on which the services were
2919 provided. Any optional service that is provided shall be provided
2920 only when medically necessary and in accordance with state and
2921 federal law. Optional services rendered by providers in mobile
2922 units to Medicaid recipients may be restricted or prohibited by
2923 the agency. Nothing in this section shall be construed to prevent
2924 or limit the agency from adjusting fees, reimbursement rates,
2925 lengths of stay, number of visits, or number of services, or
2926 making any other adjustments necessary to comply with the
2927 availability of moneys and any limitations or directions provided
2928 for in the General Appropriations Act or chapter 216. If
2929 necessary to safeguard the state's systems of providing services

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2930 | to elderly and disabled persons and subject to the notice and
2931 | review provisions of s. 216.177, the Governor may direct the
2932 | Agency for Health Care Administration to amend the Medicaid state
2933 | plan to delete the optional Medicaid service known as
2934 | "Intermediate Care Facilities for the Developmentally Disabled."
2935 | Optional services may include:

2936 | (24) CHILD-WELFARE-TARGETED CASE MANAGEMENT.--The Agency
2937 | for Health Care Administration, in consultation with the
2938 | Department of Children and Family Services, may establish a
2939 | targeted case-management project in those counties identified by
2940 | the Department of Children and Family Services and for all
2941 | counties with a community-based child welfare project, as
2942 | authorized under s. 409.1671, which have been specifically
2943 | approved by the department. ~~Results of targeted case management~~
2944 | ~~projects shall be reported to the Social Services Estimating~~
2945 | ~~Conference established under s. 216.136.~~ The covered group of
2946 | individuals who are eligible to receive targeted case management
2947 | include children who are eligible for Medicaid; who are between
2948 | the ages of birth through 21; and who are under protective
2949 | supervision or postplacement supervision, under foster-care
2950 | supervision, or in shelter care or foster care. The number of
2951 | individuals who are eligible to receive targeted case management
2952 | is ~~shall be~~ limited to the number for whom the Department of
2953 | Children and Family Services has ~~available~~ matching funds to
2954 | cover the costs. The general revenue funds required to match the
2955 | funds for services provided by the community-based child welfare
2956 | projects are limited to funds available for services described
2957 | under s. 409.1671. The Department of Children and Family Services
2958 | may transfer the general revenue matching funds as billed by the

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2959 Agency for Health Care Administration.

2960 Section 127. Paragraph (b) of subsection (4), subsections
2961 (29) and (44), and paragraph (c) of subsection (49) of section
2962 409.912, Florida Statutes, are amended to read:

2963 409.912 Cost-effective purchasing of health care.--The
2964 agency shall purchase goods and services for Medicaid recipients
2965 in the most cost-effective manner consistent with the delivery of
2966 quality medical care. To ensure that medical services are
2967 effectively utilized, the agency may, in any case, require a
2968 confirmation or second physician's opinion of the correct
2969 diagnosis for purposes of authorizing future services under the
2970 Medicaid program. This section does not restrict access to
2971 emergency services or poststabilization care services as defined
2972 in 42 C.F.R. part 438.114. Such confirmation or second opinion
2973 shall be rendered in a manner approved by the agency. The agency
2974 shall maximize the use of prepaid per capita and prepaid
2975 aggregate fixed-sum basis services when appropriate and other
2976 alternative service delivery and reimbursement methodologies,
2977 including competitive bidding pursuant to s. 287.057, designed to
2978 facilitate the cost-effective purchase of a case-managed
2979 continuum of care. The agency shall also require providers to
2980 minimize the exposure of recipients to the need for acute
2981 inpatient, custodial, and other institutional care and the
2982 inappropriate or unnecessary use of high-cost services. The
2983 agency shall contract with a vendor to monitor and evaluate the
2984 clinical practice patterns of providers in order to identify
2985 trends that are outside the normal practice patterns of a
2986 provider's professional peers or the national guidelines of a
2987 provider's professional association. The vendor must be able to

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2988 | provide information and counseling to a provider whose practice
2989 | patterns are outside the norms, in consultation with the agency,
2990 | to improve patient care and reduce inappropriate utilization. The
2991 | agency may mandate prior authorization, drug therapy management,
2992 | or disease management participation for certain populations of
2993 | Medicaid beneficiaries, certain drug classes, or particular drugs
2994 | to prevent fraud, abuse, overuse, and possible dangerous drug
2995 | interactions. The Pharmaceutical and Therapeutics Committee shall
2996 | make recommendations to the agency on drugs for which prior
2997 | authorization is required. The agency shall inform the
2998 | Pharmaceutical and Therapeutics Committee of its decisions
2999 | regarding drugs subject to prior authorization. The agency is
3000 | authorized to limit the entities it contracts with or enrolls as
3001 | Medicaid providers by developing a provider network through
3002 | provider credentialing. The agency may competitively bid single-
3003 | source-provider contracts if procurement of goods or services
3004 | results in demonstrated cost savings to the state without
3005 | limiting access to care. The agency may limit its network based
3006 | on the assessment of beneficiary access to care, provider
3007 | availability, provider quality standards, time and distance
3008 | standards for access to care, the cultural competence of the
3009 | provider network, demographic characteristics of Medicaid
3010 | beneficiaries, practice and provider-to-beneficiary standards,
3011 | appointment wait times, beneficiary use of services, provider
3012 | turnover, provider profiling, provider licensure history,
3013 | previous program integrity investigations and findings, peer
3014 | review, provider Medicaid policy and billing compliance records,
3015 | clinical and medical record audits, and other factors. Providers
3016 | shall not be entitled to enrollment in the Medicaid provider

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3017 network. The agency shall determine instances in which allowing
3018 Medicaid beneficiaries to purchase durable medical equipment and
3019 other goods is less expensive to the Medicaid program than long-
3020 term rental of the equipment or goods. The agency may establish
3021 rules to facilitate purchases in lieu of long-term rentals in
3022 order to protect against fraud and abuse in the Medicaid program
3023 as defined in s. 409.913. The agency may seek federal waivers
3024 necessary to administer these policies.

3025 (4) The agency may contract with:

3026 (b) An entity that is providing comprehensive behavioral
3027 health care services to specified ~~certain~~ Medicaid recipients
3028 through a capitated, prepaid arrangement pursuant to the federal
3029 waiver provided for by s. 409.905(5). The ~~Such an~~ entity must be
3030 licensed under chapter 624, chapter 636, or chapter 641 and must
3031 possess the clinical systems and operational competence to manage
3032 risk and provide comprehensive behavioral health care to Medicaid
3033 recipients. As used in this paragraph, the term "comprehensive
3034 behavioral health care services" means covered mental health and
3035 substance abuse treatment services that are available to Medicaid
3036 recipients. The secretary of the Department of Children and
3037 Family Services shall approve ~~provisions of~~ procurements related
3038 to children in the department's care or custody prior to
3039 enrolling such children in a prepaid behavioral health plan. A
3040 ~~Any~~ contract awarded under this paragraph must be competitively
3041 procured. In developing the behavioral health care prepaid plan
3042 procurement document, the ~~agency shall ensure that the~~
3043 ~~procurement~~ document must require ~~requires~~ the contractor to
3044 develop and implement a plan that ensures ~~to ensure~~ compliance
3045 with s. 394.4574 related to services provided to residents of

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3046 licensed assisted living facilities that hold a limited mental
3047 health license. Except as provided in subparagraph 8., and except
3048 in counties where the Medicaid managed care pilot program is
3049 authorized pursuant to s. 409.91211, the agency must ~~shall~~ seek
3050 federal approval to contract with a single entity meeting these
3051 requirements to provide comprehensive behavioral health care
3052 services to all Medicaid recipients not enrolled in a Medicaid
3053 managed care plan authorized under s. 409.91211 or a Medicaid
3054 health maintenance organization in an agency ~~AHCA~~ area. In an
3055 agency ~~AHCA~~ area where the Medicaid managed care pilot program is
3056 authorized pursuant to s. 409.91211 in one or more counties, the
3057 agency may procure a contract with a single entity to serve the
3058 remaining counties as an agency ~~AHCA~~ area or the remaining
3059 counties may be included with an adjacent agency ~~AHCA~~ area and
3060 shall be subject to this paragraph. Each entity must offer
3061 sufficient choice of providers in its network to ensure recipient
3062 access to care and the opportunity to select a provider with whom
3063 they are satisfied. The network must ~~shall~~ include all public
3064 mental health hospitals. To ensure unimpaired access to
3065 behavioral health care services by Medicaid recipients, all
3066 contracts issued pursuant to this paragraph must ~~shall~~ require 80
3067 percent of the capitation paid to the managed care plan,
3068 including health maintenance organizations, to be expended for
3069 ~~the provision of~~ behavioral health care services. In the event
3070 the managed care plan expends less than 80 percent ~~of the~~
3071 ~~capitation paid pursuant to this paragraph for the provision of~~
3072 ~~behavioral health care services~~, the difference must ~~shall~~ be
3073 returned to the agency. The agency shall provide the managed care
3074 plan with a certification letter indicating the amount of

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3075 | capitation paid during each calendar year for the provision of
3076 | behavioral health care services pursuant to this section. The
3077 | agency may reimburse for substance abuse treatment services on a
3078 | fee-for-service basis until the agency finds that adequate funds
3079 | are available for capitated, prepaid arrangements.

3080 | 1. ~~By January 1, 2001, the agency shall modify the~~
3081 | Contracts with the entities providing comprehensive inpatient and
3082 | outpatient mental health care services to Medicaid recipients in
3083 | Hillsborough, Highlands, Hardee, Manatee, and Polk Counties, must
3084 | ~~to~~ include substance abuse treatment services.

3085 | 2. ~~By July 1, 2003,~~ The agency and the Department of
3086 | Children and Family Services shall execute a written agreement
3087 | that requires collaboration and joint development of all policy,
3088 | budgets, procurement documents, contracts, and monitoring plans
3089 | that have an impact on the state and Medicaid community mental
3090 | health and targeted case management programs.

3091 | 3. Except as provided in subparagraph 8., ~~by July 1, 2006,~~
3092 | the agency and the Department of Children and Family Services
3093 | shall contract with managed care entities in each agency AHCA
3094 | area except area 6 or arrange to provide comprehensive inpatient
3095 | and outpatient mental health and substance abuse services through
3096 | capitated prepaid arrangements to all Medicaid recipients who are
3097 | eligible to participate in such plans under federal law and
3098 | regulation. In agency AHCA areas where eligible individuals
3099 | number less than 150,000, the agency shall contract with a single
3100 | managed care plan to provide comprehensive behavioral health
3101 | services to all recipients who are not enrolled in a Medicaid
3102 | health maintenance organization or a Medicaid capitated managed
3103 | care plan authorized under s. 409.91211. The agency may contract

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3104 | with more than one comprehensive behavioral health provider ~~to~~
3105 | ~~provide care to recipients who are not enrolled in a Medicaid~~
3106 | ~~capitated managed care plan authorized under s. 409.91211 or a~~
3107 | ~~Medicaid health maintenance organization in agency AHCA areas~~
3108 | where the eligible population exceeds 150,000. In an agency AHCA
3109 | area where the Medicaid managed care pilot program is authorized
3110 | pursuant to s. 409.91211 in one or more counties, the agency may
3111 | procure a contract with a single entity to serve the remaining
3112 | counties as an agency AHCA area or the remaining counties may be
3113 | included with an adjacent agency AHCA area and shall be subject
3114 | to this paragraph. Contracts for comprehensive behavioral health
3115 | providers awarded pursuant to this section shall be competitively
3116 | procured. Both for-profit and not-for-profit corporations shall
3117 | be eligible to compete. Managed care plans contracting with the
3118 | agency under subsection (3) shall provide and receive payment for
3119 | the same comprehensive behavioral health benefits as provided in
3120 | agency AHCA rules, including handbooks incorporated by reference.
3121 | In agency AHCA area 11, the agency shall contract with at least
3122 | two comprehensive behavioral health care providers to provide
3123 | behavioral health care to recipients in that area who are
3124 | enrolled in, or assigned to, the MediPass program. One of the
3125 | behavioral health care contracts must ~~shall~~ be with the existing
3126 | provider service network pilot project, as described in paragraph
3127 | (d), for the purpose of demonstrating the cost-effectiveness of
3128 | the provision of quality mental health services through a public
3129 | hospital-operated managed care model. Payment must ~~shall~~ be at an
3130 | agreed-upon capitated rate to ensure cost savings. Of the
3131 | recipients in area 11 who are assigned to MediPass under ~~the~~
3132 | ~~provisions of~~ s. 409.9122(2) (k), a minimum of 50,000 must ~~of~~

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3133 ~~those MediPass-enrolled recipients shall~~ be assigned to the
3134 existing provider service network in area 11 for their behavioral
3135 care.

3136 ~~4. By October 1, 2003, the agency and the department shall~~
3137 ~~submit a plan to the Governor, the President of the Senate, and~~
3138 ~~the Speaker of the House of Representatives which provides for~~
3139 ~~the full implementation of capitated prepaid behavioral health~~
3140 ~~care in all areas of the state.~~

3141 ~~a. Implementation shall begin in 2003 in those AHCA areas~~
3142 ~~of the state where the agency is able to establish sufficient~~
3143 ~~capitation rates.~~

3144 ~~4.b.~~ If the agency determines that the proposed capitation
3145 rate in any area is insufficient to provide appropriate services,
3146 the agency may adjust the capitation rate to ensure that care
3147 will be available. The agency and the department may use existing
3148 general revenue to address any additional required match but may
3149 not over-obligate existing funds on an annualized basis.

3150 ~~e.~~ Subject to ~~any~~ limitations provided for in the General
3151 Appropriations Act, the agency, in compliance with appropriate
3152 federal authorization, shall develop policies and procedures that
3153 allow for certification of local and state funds.

3154 5. Children residing in a statewide inpatient psychiatric
3155 program, or in a Department of Juvenile Justice or a Department
3156 of Children and Family Services residential program approved as a
3157 Medicaid behavioral health overlay services provider may ~~shall~~
3158 not be included in a behavioral health care prepaid health plan
3159 or any other Medicaid managed care plan pursuant to this
3160 paragraph.

3161 6. In converting to a prepaid system of delivery, the

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3162 agency ~~shall~~ in its procurement document shall require an entity
3163 providing only comprehensive behavioral health care services to
3164 prevent the displacement of indigent care patients by enrollees
3165 in the Medicaid prepaid health plan providing behavioral health
3166 care services from facilities receiving state funding to provide
3167 indigent behavioral health care, to facilities licensed under
3168 chapter 395 which do not receive state funding for indigent
3169 behavioral health care, or reimburse the unsubsidized facility
3170 for the cost of behavioral health care provided to the displaced
3171 indigent care patient.

3172 7. Traditional community mental health providers under
3173 contract with the Department of Children and Family Services
3174 pursuant to part IV of chapter 394, child welfare providers under
3175 contract with the Department of Children and Family Services in
3176 areas 1 and 6, and inpatient mental health providers licensed
3177 pursuant to chapter 395 must be offered an opportunity to accept
3178 or decline a contract to participate in any provider network for
3179 prepaid behavioral health services.

3180 8. Beginning July 1, 2005, ~~For fiscal year 2004-2005,~~ all
3181 Medicaid eligible children who are open for child welfare
3182 services in the HomeSafeNet system, except such children in areas
3183 1 and 6, ~~whose cases are open for child welfare services in the~~
3184 ~~HomeSafeNet system,~~ shall be enrolled in MediPass or in Medicaid
3185 fee-for-service and ~~all their behavioral health care services~~
3186 ~~including inpatient, outpatient psychiatric, community mental~~
3187 ~~health, and case management shall be reimbursed on a fee-for-~~
3188 ~~service basis. Beginning July 1, 2005, such children, who are~~
3189 ~~open for child welfare services in the HomeSafeNet system,~~ shall
3190 receive their behavioral health care services through a specialty

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3191 prepaid plan operated by community-based lead agencies either
3192 through a single agency or formal agreements among several
3193 agencies. The specialty prepaid plan must result in savings to
3194 the state comparable to savings achieved in other Medicaid
3195 managed care and prepaid programs. Such plan must provide
3196 mechanisms to maximize state and local revenues. The specialty
3197 prepaid plan shall be developed by the agency and the Department
3198 of Children and Family Services. The agency is authorized to seek
3199 any federal waivers to implement this initiative.

3200 (29) The agency shall perform enrollments and
3201 disenrollments for Medicaid recipients who are eligible for
3202 MediPass or managed care plans. Notwithstanding the prohibition
3203 contained in paragraph (21)(f), managed care plans may perform
3204 preenrollments of Medicaid recipients under the supervision of
3205 the agency or its agents. For the purposes of this section, the
3206 term "preenrollment" means the provision of marketing and
3207 educational materials to a Medicaid recipient and assistance in
3208 completing the application forms, but does ~~shall~~ not include
3209 actual enrollment into a managed care plan. An application for
3210 enrollment may ~~shall~~ not be deemed complete until the agency or
3211 its agent verifies that the recipient made an informed, voluntary
3212 choice. The agency, in cooperation with the Department of
3213 Children and Family Services, may test new marketing initiatives
3214 to inform Medicaid recipients about their managed care options at
3215 selected sites. ~~The agency shall report to the Legislature on the~~
3216 ~~effectiveness of such initiatives.~~ The agency may contract with a
3217 third party to perform managed care plan and MediPass enrollment
3218 and disenrollment services for Medicaid recipients and is
3219 authorized to adopt rules to administer ~~implement~~ such services.

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3220 The agency may adjust the capitation rate only to cover the costs
3221 of a third-party enrollment and disenrollment contract, and for
3222 agency supervision and management of the managed care plan
3223 enrollment and disenrollment contract.

3224 (44) The Agency for Health Care Administration shall ensure
3225 that any Medicaid managed care plan as defined in s.
3226 409.9122(2)(f), whether paid on a capitated basis or a shared
3227 savings basis, is cost-effective. For purposes of this
3228 subsection, the term "cost-effective" means that a network's per-
3229 member, per-month costs to the state, including, but not limited
3230 to, fee-for-service costs, administrative costs, and case-
3231 management fees, if any, must be no greater than the state's
3232 costs associated with contracts for Medicaid services established
3233 under subsection (3), which may be adjusted for health status.
3234 The agency shall conduct actuarially sound adjustments for health
3235 status in order to ensure such cost-effectiveness and shall
3236 annually publish the results on its Internet website ~~and submit~~
3237 ~~the results annually to the Governor, the President of the~~
3238 ~~Senate, and the Speaker of the House of Representatives no later~~
3239 ~~than December 31 of each year.~~ Contracts established pursuant to
3240 this subsection which are not cost-effective may not be renewed.

3241 (49) The agency shall contract with established minority
3242 physician networks that provide services to historically
3243 underserved minority patients. The networks must provide cost-
3244 effective Medicaid services, comply with the requirements to be a
3245 MediPass provider, and provide their primary care physicians with
3246 access to data and other management tools necessary to assist
3247 them in ensuring the appropriate use of services, including
3248 inpatient hospital services and pharmaceuticals.

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3249 (c) For purposes of this subsection, the term "cost-
3250 effective" means that a network's per-member, per-month costs to
3251 the state, including, but not limited to, fee-for-service costs,
3252 administrative costs, and case-management fees, if any, must be
3253 no greater than the state's costs associated with contracts for
3254 Medicaid services established under subsection (3), which shall
3255 be actuarially adjusted for case mix, model, and service area.
3256 The agency shall conduct actuarially sound audits adjusted for
3257 case mix and model in order to ensure such cost-effectiveness and
3258 shall annually publish the audit results on its Internet website
3259 ~~and submit the audit results annually to the Governor, the~~
3260 ~~President of the Senate, and the Speaker of the House of~~
3261 ~~Representatives no later than December 31.~~ Contracts established
3262 pursuant to this subsection which are not cost-effective may not
3263 be renewed.

3264 Section 128. Section 410.0245, Florida Statutes, is
3265 repealed.

3266 Section 129. Subsection (10) of section 410.604, Florida
3267 Statutes, is repealed.

3268 Section 130. Section 411.221, Florida Statutes, is
3269 repealed.

3270 Section 131. Section 411.242, Florida Statutes, is
3271 repealed.

3272 Section 132. Subsection (3) of section 414.1251, Florida
3273 Statutes, is repealed.

3274 Section 133. Section 414.14, Florida Statutes, is amended
3275 to read:

3276 414.14 Public assistance policy simplification.--To the
3277 extent possible, the department shall align the requirements for

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3278 eligibility under this chapter with the food stamp program and
3279 medical assistance eligibility policies and procedures to
3280 simplify the budgeting process and reduce errors. If the
3281 department determines that s. 414.075, relating to resources, or
3282 s. 414.085, relating to income, is inconsistent with related
3283 provisions of federal law which govern the food stamp program or
3284 medical assistance, and that conformance to federal law would
3285 simplify administration of the WAGES Program or reduce errors
3286 without materially increasing the cost of the program to the
3287 state, the secretary of the department may propose a change in
3288 the resource or income requirements of the program by rule. ~~The~~
3289 ~~secretary shall provide written notice to the President of the~~
3290 ~~Senate, the Speaker of the House of Representatives, and the~~
3291 ~~chairpersons of the relevant committees of both houses of the~~
3292 ~~Legislature summarizing the proposed modifications to be made by~~
3293 ~~rule and changes necessary to conform state law to federal law.~~
3294 ~~The proposed rule shall take effect 14 days after written notice~~
3295 ~~is given unless the President of the Senate or the Speaker of the~~
3296 ~~House of Representatives advises the secretary that the proposed~~
3297 ~~rule exceeds the delegated authority of the Legislature.~~

3298 Section 134. Subsection (1) of section 414.36, Florida
3299 Statutes, is repealed.

3300 Section 135. Subsection (3) of section 414.391, Florida
3301 Statutes, is repealed.

3302 Section 136. Subsection (6) of section 415.1045, Florida
3303 Statutes, is amended to read:

3304 415.1045 Photographs, videotapes, and medical examinations;
3305 abrogation of privileged communications; confidential records and
3306 documents.--

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3307 (6) WORKING AGREEMENTS.--~~By March 1, 2004,~~ The department
3308 shall enter into working agreements with the jurisdictionally
3309 responsible county Sheriff's ~~sheriffs'~~ office or local police
3310 department that will be the lead agency for ~~when~~ conducting any
3311 criminal investigation arising from an allegation of abuse,
3312 neglect, or exploitation of a vulnerable adult. The working
3313 agreement must specify how the requirements of this chapter will
3314 be met. ~~The Office of Program Policy Analysis and Government~~
3315 ~~Accountability shall conduct a review of the efficacy of the~~
3316 ~~agreements and report its findings to the Legislature by March 1,~~
3317 ~~2005.~~ For the purposes of such agreement, the jurisdictionally
3318 responsible law enforcement entity is authorized to share Florida
3319 criminal history and local criminal history information that is
3320 not otherwise exempt from s. 119.07(1) with the district
3321 personnel. A law enforcement entity entering into such agreement
3322 must comply with s. 943.0525. Criminal justice information
3323 provided by the ~~such~~ law enforcement entity shall be used only
3324 for the purposes specified in the agreement and shall be provided
3325 at no charge. Notwithstanding any other provision of law, the
3326 Department of Law Enforcement shall provide to the department
3327 electronic access to Florida criminal justice information which
3328 is lawfully available and not exempt from s. 119.07(1), only for
3329 the purpose of protective investigations and emergency placement.
3330 As a condition of access to such information, the department
3331 shall be required to execute an appropriate user agreement
3332 addressing the access, use, dissemination, and destruction of
3333 such information and to comply with all applicable laws and rules
3334 of the Department of Law Enforcement.

3335 Section 137. Paragraph (a) of subsection (5) of section

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3336 415.111, Florida Statutes, is amended to read:

3337 415.111 Criminal penalties.--

3338 (5) A person who knowingly and willfully makes a false
3339 report of abuse, neglect, or exploitation of a vulnerable adult,
3340 or a person who advises another to make a false report, commits a
3341 felony of the third degree, punishable as provided in s. 775.082
3342 or s. 775.083.

3343 (a) The department shall establish procedures for
3344 determining whether a false report of abuse, neglect, or
3345 exploitation of a vulnerable adult has been made and for
3346 submitting all identifying information relating to such a false
3347 report to the local law enforcement agency as provided in this
3348 subsection ~~and shall report annually to the Legislature the~~
3349 ~~number of reports referred.~~

3350 Section 138. Subsection (9) of section 420.622, Florida
3351 Statutes, is amended to read:

3352 420.622 State Office on Homelessness; Council on
3353 Homelessness.--

3354 (9) The council shall, by December 31 of each year, provide
3355 ~~issue~~ to the Governor, the Legislature ~~President of the Senate,~~
3356 ~~the Speaker of the House of Representatives,~~ and the Secretary of
3357 Children and Family Services ~~an evaluation of the executive~~
3358 ~~director's performance in fulfilling the statutory duties of the~~
3359 ~~office,~~ a report summarizing the extent of homelessness in the
3360 state and the council's recommendations to the office and the
3361 ~~corresponding actions taken by the office, and any~~
3362 ~~recommendations to the Legislature for~~ reducing proposals to
3363 ~~reduce~~ homelessness in this state.

3364 Section 139. Subsection (4) of section 420.623, Florida

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3365 Statutes, is repealed.

3366 Section 140. Subsection (9) of section 427.704, Florida
3367 Statutes, is amended to read:

3368 427.704 Powers and duties of the commission.--

3369 (9) The commission shall prepare ~~provide to the President~~
3370 ~~of the Senate and to the Speaker of the House of Representatives~~
3371 an annual report on the operation of the telecommunications
3372 access system, which shall be available on the commission's
3373 Internet website. ~~The first report shall be provided no later~~
3374 ~~than January 1, 1992, and successive reports shall be provided by~~
3375 ~~January 1 of each year thereafter.~~ Reports shall be prepared in
3376 consultation with the administrator and the advisory committee
3377 appointed pursuant to s. 427.706. The reports shall, at a
3378 minimum, briefly outline the status of developments of the
3379 telecommunications access system, the number of persons served,
3380 the call volume, revenues and expenditures, the allocation of the
3381 revenues and expenditures between provision of specialized
3382 telecommunications devices to individuals and operation of
3383 statewide relay service, other major policy or operational
3384 issues, and proposals for improvements or changes to the
3385 telecommunications access system.

3386 Section 141. Subsection (2) of section 427.706, Florida
3387 Statutes, is amended to read:

3388 427.706 Advisory committee.--

3389 (2) The advisory committee shall provide the expertise,
3390 experience, and perspective of persons who are hearing impaired
3391 or speech impaired to the commission and to the administrator
3392 during all phases of the development and operation of the
3393 telecommunications access system. The advisory committee shall

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3394 advise the commission and the administrator on any matter
3395 relating to the quality and cost-effectiveness of the
3396 telecommunications relay service and the specialized
3397 telecommunications devices distribution system. The advisory
3398 committee may submit material for inclusion in the annual report
3399 prepared pursuant to s. 427.704 ~~to the President of the Senate~~
3400 ~~and the Speaker of the House of Representatives.~~

3401 Section 142. Paragraph (b) of subsection (3) of section
3402 429.07, Florida Statutes, is amended to read:

3403 429.07 License required; fee.--

3404 (3) In addition to the requirements of s. 408.806, each
3405 license granted by the agency must state the type of care for
3406 which the license is granted. Licenses shall be issued for one or
3407 more of the following categories of care: standard, extended
3408 congregate care, limited nursing services, or limited mental
3409 health.

3410 (b) An extended congregate care license shall be issued to
3411 facilities providing, directly or through contract, services
3412 beyond those authorized in paragraph (a), including services
3413 performed by persons licensed ~~acts performed~~ pursuant to part I
3414 of chapter 464 ~~by persons licensed thereunder,~~ and supportive
3415 services, as defined by rule, to persons who would otherwise
3416 ~~would~~ be disqualified from continued residence in a facility
3417 licensed under this part.

3418 1. In order for extended congregate care services to be
3419 provided ~~in a facility licensed under this part,~~ the agency must
3420 first determine that all requirements established in law and rule
3421 are met and must specifically designate, on the facility's
3422 license, that such services may be provided and whether the

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3423 designation applies to all or part of the a facility. Such
3424 designation may be made at the time of initial licensure or
3425 relicensure, or upon request in writing by a licensee under this
3426 part and part II of chapter 408. Notification of approval or
3427 denial of such request shall be made in accordance with part II
3428 of chapter 408. Existing facilities qualifying to provide
3429 extended congregate care services must have maintained a standard
3430 license and may not have been subject to administrative sanctions
3431 during the previous 2 years, or since initial licensure if the
3432 facility has been licensed for less than 2 years, for any of the
3433 following reasons:

- 3434 a. A class I or class II violation;
- 3435 b. Three or more repeat or recurring class III violations
3436 of identical or similar resident care standards as specified in
3437 rule from which a pattern of noncompliance is found by the
3438 agency;
- 3439 c. Three or more class III violations that were not
3440 corrected in accordance with the corrective action plan approved
3441 by the agency;
- 3442 d. Violation of resident care standards that results in
3443 requiring the facility ~~resulting in a requirement~~ to employ the
3444 services of a consultant pharmacist or consultant dietitian;
- 3445 e. Denial, suspension, or revocation of a license for
3446 another facility licensed under this part in which the applicant
3447 for an extended congregate care license has at least 25 percent
3448 ownership interest; or
- 3449 f. Imposition of a moratorium pursuant to this part or part
3450 II of chapter 408 or initiation of injunctive proceedings.
- 3451 2. A facility that is ~~Facilities that are~~ licensed to

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3452 provide extended congregate care services shall maintain a
3453 written progress report on each person who receives ~~such~~
3454 services, which report describes the type, amount, duration,
3455 scope, and outcome of services that are rendered and the general
3456 status of the resident's health. A registered nurse, or
3457 appropriate designee, representing the agency shall visit the
3458 facility ~~such facilities~~ at least quarterly to monitor residents
3459 who are receiving extended congregate care services and to
3460 determine if the facility is in compliance with this part, part
3461 II of chapter 408, and rules that relate to extended congregate
3462 care. One of these visits may be in conjunction with the regular
3463 survey. The monitoring visits may be provided through contractual
3464 arrangements with appropriate community agencies. A registered
3465 nurse shall serve as part of the team that inspects the ~~such~~
3466 facility. The agency may waive one of the required yearly
3467 monitoring visits for a facility that has been licensed for at
3468 least 24 months to provide extended congregate care services, if,
3469 during the inspection, the registered nurse determines that
3470 extended congregate care services are being provided
3471 appropriately, and if the facility has no class I or class II
3472 violations and no uncorrected class III violations. ~~Before such~~
3473 ~~decision is made,~~ The agency must first ~~shall~~ consult with the
3474 long-term care ombudsman council for the area in which the
3475 facility is located to determine if any complaints have been made
3476 and substantiated about the quality of services or care. The
3477 agency may not waive one of the required yearly monitoring visits
3478 if complaints have been made and substantiated.

3479 3. Facilities that are licensed to provide extended
3480 congregate care services must ~~shall~~:

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- 3481 a. Demonstrate the capability to meet unanticipated
3482 resident service needs.
- 3483 b. Offer a physical environment that promotes a homelike
3484 setting, provides for resident privacy, promotes resident
3485 independence, and allows sufficient congregate space as defined
3486 by rule.
- 3487 c. Have sufficient staff available, taking into account the
3488 physical plant and firesafety features of the building, to assist
3489 with the evacuation of residents in an emergency, ~~as necessary.~~
- 3490 d. Adopt and follow policies and procedures that maximize
3491 resident independence, dignity, choice, and decisionmaking to
3492 permit residents to age in place ~~to the extent possible~~, so that
3493 moves due to changes in functional status are minimized or
3494 avoided.
- 3495 e. Allow residents or, if applicable, a resident's
3496 representative, designee, surrogate, guardian, or attorney in
3497 fact to make a variety of personal choices, participate in
3498 developing service plans, and share responsibility in
3499 decisionmaking.
- 3500 f. Implement the concept of managed risk.
- 3501 g. Provide, either directly or through contract, the
3502 services of a person licensed pursuant to part I of chapter 464.
- 3503 h. In addition to the training mandated in s. 429.52,
3504 provide specialized training as defined by rule for facility
3505 staff.
- 3506 4. Facilities licensed to provide extended congregate care
3507 services are exempt from the criteria for continued residency ~~as~~
3508 set forth in rules adopted under s. 429.41. Facilities so
3509 licensed must ~~shall~~ adopt their own requirements within

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3510 guidelines for continued residency set forth by rule. However,
3511 such facilities may not serve residents who require 24-hour
3512 nursing supervision. Facilities licensed to provide extended
3513 congregate care services must ~~shall~~ provide each resident with a
3514 written copy of facility policies governing admission and
3515 retention.

3516 5. The primary purpose of extended congregate care services
3517 is to allow residents, as they become more impaired, the option
3518 of remaining in a familiar setting from which they would
3519 otherwise be disqualified for continued residency. A facility
3520 licensed to provide extended congregate care services may also
3521 admit an individual who exceeds the admission criteria for a
3522 facility with a standard license, if the individual is determined
3523 appropriate for admission to the extended congregate care
3524 facility.

3525 6. Before admission of an individual to a facility licensed
3526 to provide extended congregate care services, the individual must
3527 undergo a medical examination as provided in s. 429.26(4) and the
3528 facility must develop a preliminary service plan for the
3529 individual.

3530 7. When a facility can no longer provide or arrange for
3531 services in accordance with the resident's service plan and needs
3532 and the facility's policy, the facility shall make arrangements
3533 for relocating the person in accordance with s. 429.28(1)(k).

3534 8. Failure to provide extended congregate care services may
3535 result in denial of extended congregate care license renewal.

3536 ~~9. No later than January 1 of each year, the department, in~~
3537 ~~consultation with the agency, shall prepare and submit to the~~
3538 ~~Governor, the President of the Senate, the Speaker of the House~~

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3539 ~~of Representatives, and the chairs of appropriate legislative~~
3540 ~~committees, a report on the status of, and recommendations~~
3541 ~~related to, extended congregate care services. The status report~~
3542 ~~must include, but need not be limited to, the following~~
3543 ~~information:~~

3544 ~~a. A description of the facilities licensed to provide such~~
3545 ~~services, including total number of beds licensed under this~~
3546 ~~part.~~

3547 ~~b. The number and characteristics of residents receiving~~
3548 ~~such services.~~

3549 ~~c. The types of services rendered that could not be~~
3550 ~~provided through a standard license.~~

3551 ~~d. An analysis of deficiencies cited during licensure~~
3552 ~~inspections.~~

3553 ~~e. The number of residents who required extended congregate~~
3554 ~~care services at admission and the source of admission.~~

3555 ~~f. Recommendations for statutory or regulatory changes.~~

3556 ~~g. The availability of extended congregate care to state~~
3557 ~~clients residing in facilities licensed under this part and in~~
3558 ~~need of additional services, and recommendations for~~
3559 ~~appropriations to subsidize extended congregate care services for~~
3560 ~~such persons.~~

3561 ~~h. Such other information as the department considers~~
3562 ~~appropriate.~~

3563 Section 143. Subsection (2) of section 429.08, Florida
3564 Statutes, is repealed.

3565 Section 144. Subsection (5) of section 429.41, Florida
3566 Statutes, is amended to read:

3567 429.41 Rules establishing standards.--

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3568 (5) The agency may use an abbreviated biennial standard
3569 licensure inspection that consists of a review of key quality-of-
3570 care standards in lieu of a full inspection in facilities which
3571 have a good record of past performance. However, a full
3572 inspection must ~~shall~~ be conducted in facilities which have had a
3573 history of class I or class II violations, uncorrected class III
3574 violations, confirmed ombudsman council complaints, or confirmed
3575 licensure complaints, within the previous licensure period
3576 immediately preceding the inspection or when a potentially
3577 serious problem is identified during the abbreviated inspection.
3578 The agency, in consultation with the department, shall develop
3579 the key quality-of-care standards with input from the State Long-
3580 Term Care Ombudsman Council and representatives of provider
3581 groups for incorporation into its rules. ~~The department, in~~
3582 ~~consultation with the agency, shall report annually to the~~
3583 ~~Legislature concerning its implementation of this subsection. The~~
3584 ~~report shall include, at a minimum, the key quality-of-care~~
3585 ~~standards which have been developed; the number of facilities~~
3586 ~~identified as being eligible for the abbreviated inspection; the~~
3587 ~~number of facilities which have received the abbreviated~~
3588 ~~inspection and, of those, the number that were converted to full~~
3589 ~~inspection; the number and type of subsequent complaints received~~
3590 ~~by the agency or department on facilities which have had~~
3591 ~~abbreviated inspections; any recommendations for modification to~~
3592 ~~this subsection; any plans by the agency to modify its~~
3593 ~~implementation of this subsection; and any other information~~
3594 ~~which the department believes should be reported.~~

3595 Section 145. Subsections (3) through (17) of section
3596 430.04, Florida Statutes, are amended to read:

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3597 430.04 Duties and responsibilities of the Department of
3598 Elderly Affairs.--The Department of Elderly Affairs shall:
3599 ~~(3) Prepare and submit to the Governor, each Cabinet~~
3600 ~~member, the President of the Senate, the Speaker of the House of~~
3601 ~~Representatives, the minority leaders of the House and Senate,~~
3602 ~~and chairpersons of appropriate House and Senate committees a~~
3603 ~~master plan for policies and programs in the state related to~~
3604 ~~aging. The plan must identify and assess the needs of the elderly~~
3605 ~~population in the areas of housing, employment, education and~~
3606 ~~training, medical care, long-term care, preventive care,~~
3607 ~~protective services, social services, mental health,~~
3608 ~~transportation, and long-term care insurance, and other areas~~
3609 ~~considered appropriate by the department. The plan must assess~~
3610 ~~the needs of particular subgroups of the population and evaluate~~
3611 ~~the capacity of existing programs, both public and private and in~~
3612 ~~state and local agencies, to respond effectively to identified~~
3613 ~~needs. If the plan recommends the transfer of any program or~~
3614 ~~service from the Department of Children and Family Services to~~
3615 ~~another state department, the plan must also include~~
3616 ~~recommendations that provide for an independent third-party~~
3617 ~~mechanism, as currently exists in the Florida advocacy councils~~
3618 ~~established in ss. 402.165 and 402.166, for protecting the~~
3619 ~~constitutional and human rights of recipients of departmental~~
3620 ~~services. The plan must include policy goals and program~~
3621 ~~strategies designed to respond efficiently to current and~~
3622 ~~projected needs. The plan must also include policy goals and~~
3623 ~~program strategies to promote intergenerational relationships and~~
3624 ~~activities. Public hearings and other appropriate processes~~
3625 ~~shall be utilized by the department to solicit input for the~~

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3626 ~~development and updating of the master plan from parties~~
3627 ~~including, but not limited to, the following:~~

3628 ~~(a) Elderly citizens and their families and caregivers.~~
3629 ~~(b) Local-level public and private service providers,~~
3630 ~~advocacy organizations, and other organizations relating to the~~
3631 ~~elderly.~~

3632 ~~(c) Local governments.~~
3633 ~~(d) All state agencies that provide services to the~~
3634 ~~elderly.~~

3635 ~~(e) University centers on aging.~~
3636 ~~(f) Area agency on aging and community care for the elderly~~
3637 ~~lead agencies.~~

3638 (3)~~(4)~~ Serve as an information clearinghouse at the state
3639 level, and assist local-level information and referral resources
3640 as a repository and means for the dissemination of information
3641 regarding all federal, state, and local resources for assistance
3642 to the elderly in the areas of, but not limited to, health,
3643 social welfare, long-term care, protective services, consumer
3644 protection, education and training, housing, employment,
3645 recreation, transportation, insurance, and retirement.

3646 (4)~~(5)~~ Recommend guidelines for the development of roles
3647 for state agencies that provide services for the aging, review
3648 plans of agencies that provide such services, and relay these
3649 plans to the Governor and the Legislature, ~~each Cabinet member,~~
3650 ~~the President of the Senate, the Speaker of the House of~~
3651 ~~Representatives, the minority leaders of the House and Senate,~~
3652 ~~and chairpersons of appropriate House and Senate committees.~~

3653 (5)~~(6)~~ Recommend to the Governor and the Legislature, ~~each~~
3654 ~~Cabinet member, the President of the Senate, the Speaker of the~~

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3655 ~~House of Representatives, the minority leaders of the House and~~
3656 ~~Senate, and chairpersons of appropriate House and Senate~~
3657 ~~committees~~ an organizational framework for the planning,
3658 coordination, implementation, and evaluation of programs related
3659 to aging, with the purpose of expanding and improving programs
3660 and opportunities available to the state's elderly population and
3661 enhancing a continuum of long-term care. This framework must
3662 assure that:

3663 (a) Performance objectives are established.

3664 (b) Program reviews are conducted statewide.

3665 (c) Each major program related to aging is reviewed every 3
3666 years.

3667 ~~(d) Agency budget requests reflect the results and~~
3668 ~~recommendations of such program reviews.~~

3669 (d)(e) Program decisions reinforce ~~lead to~~ the distinctive
3670 roles established for state agencies that provide aging services.

3671 (6)(7) Advise the Governor and the Legislature, ~~each~~
3672 ~~Cabinet member, the President of the Senate, the Speaker of the~~
3673 ~~House of Representatives, the minority leaders of the House and~~
3674 ~~Senate, and the chairpersons of appropriate House and Senate~~
3675 ~~committees~~ regarding the need for and location of programs
3676 related to aging.

3677 (7)(8) Review and coordinate aging research plans of all
3678 state agencies to ensure that ~~the conformance of~~ research
3679 objectives address ~~to~~ issues and needs of the state's elderly
3680 population ~~addressed in the master plan for policies and programs~~
3681 ~~related to aging.~~ The research activities that must be reviewed
3682 and coordinated by the department include, but are not limited
3683 to, contracts with academic institutions, development of

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3684 educational and training curriculums, Alzheimer's disease and
3685 other medical research, studies of long-term care and other
3686 personal assistance needs, and design of adaptive or modified
3687 living environments.

3688 (8)~~(9)~~ Review budget requests for programs related to aging
3689 to ensure the most cost-effective use of state funding for the
3690 state's elderly population before ~~for compliance with the master~~
3691 ~~plan for policies and programs related to aging before~~ submission
3692 to the Governor and the Legislature.

3693 ~~(10)~~ ~~Update the master plan for policies and programs~~
3694 ~~related to aging every 3 years.~~

3695 ~~(11)~~ ~~Review implementation of the master plan for programs~~
3696 ~~and policies related to aging and annually report to the~~
3697 ~~Governor, each Cabinet member, the President of the Senate, the~~
3698 ~~Speaker of the House of Representatives, the minority leaders of~~
3699 ~~the House and Senate, and the chairpersons of appropriate House~~
3700 ~~and Senate committees the progress towards implementation of the~~
3701 ~~plan.~~

3702 (9)~~(12)~~ Request other departments that administer programs
3703 affecting the state's elderly population to amend their plans,
3704 rules, policies, and research objectives as necessary to ensure
3705 that programs and other initiatives are coordinated and maximize
3706 the state's efforts to address the needs of the elderly ~~conform~~
3707 ~~with the master plan for policies and programs related to aging.~~

3708 (10)~~(13)~~ Hold public meetings regularly throughout the
3709 state for purposes of receiving information and maximizing the
3710 visibility of important issues relating to aging and the elderly.

3711 (11)~~(14)~~ Conduct policy analysis and program evaluation
3712 studies assigned by the Legislature.

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3713 (12)~~(15)~~ Assist the Governor, each Cabinet member, and
3714 members of the Legislature ~~the President of the Senate, the~~
3715 ~~Speaker of the House of Representatives, the minority leaders of~~
3716 ~~the House and Senate, and the chairpersons of appropriate House~~
3717 ~~and Senate committees~~ in the conduct of their responsibilities in
3718 such capacities as they consider appropriate.

3719 (13)~~(16)~~ Call upon appropriate agencies of state government
3720 for such assistance as is needed in the discharge of its duties.
3721 All agencies shall cooperate in assisting the department in
3722 carrying out its responsibilities as prescribed by this section.
3723 However, no provision of law with respect to confidentiality of
3724 information may be violated.

3725 (14)~~(17)~~ Be designated as a state agency that is eligible
3726 to receive federal funds for adults who are eligible for
3727 assistance through the portion of the federal Child and Adult
3728 Care Food Program for adults, which is referred to as the Adult
3729 Care Food Program, and that is responsible for establishing and
3730 administering the program. The purpose of the Adult Care Food
3731 Program is to provide nutritious and wholesome meals and snacks
3732 for adults in nonresidential day care centers or residential
3733 treatment facilities. To ensure the quality and integrity of the
3734 program, the department shall develop standards and procedures
3735 that govern sponsoring organizations and adult day care centers.
3736 The department shall follow federal requirements and may adopt
3737 ~~any~~ necessary rules pursuant to ss. 120.536(1) and 120.54
3738 necessary to administer ~~for the implementation of the Adult Care~~
3739 ~~Food program and.~~ With respect to the Adult Care Food Program,
3740 ~~the department shall adopt rules pursuant to ss. 120.536(1) and~~
3741 ~~120.54 that~~ implement relevant federal regulations, including 7

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3742 C.F.R. part 226. The rules may address, at a minimum, the program
3743 requirements and procedures identified in this subsection.

3744 Section 146. Subsections (3) and (8) of section 430.502,
3745 Florida Statutes, are amended to read:

3746 430.502 Alzheimer's disease; memory disorder clinics and
3747 day care and respite care programs.--

3748 (3) The Alzheimer's Disease Advisory Committee shall ~~must~~
3749 evaluate and make recommendations to the department and the
3750 Legislature concerning the need for additional memory disorder
3751 clinics in the state. ~~The first report will be due by December~~
3752 ~~31, 1995.~~

3753 (8) The department shall ~~will~~ implement the waiver program
3754 specified in subsection (7). The agency and the department shall
3755 ensure that providers are selected that have a history of
3756 successfully serving persons with Alzheimer's disease. The
3757 department and the agency shall develop specialized standards for
3758 providers and services tailored to persons in the early, middle,
3759 and late stages of Alzheimer's disease and designate a level of
3760 care determination process and standard that is most appropriate
3761 to this population. The department and the agency shall include
3762 in the waiver services designed to assist the caregiver in
3763 continuing to provide in-home care. The department shall
3764 implement this waiver program subject to a specific appropriation
3765 or as provided in the General Appropriations Act. ~~The department~~
3766 ~~and the agency shall submit their program design to the President~~
3767 ~~of the Senate and the Speaker of the House of Representatives for~~
3768 ~~consultation during the development process.~~

3769 Section 147. Paragraph (c) of subsection (4) of section
3770 445.003, Florida Statutes, is amended to read:

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3771 445.003 Implementation of the federal Workforce Investment
3772 Act of 1998.--

3773 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED
3774 MODIFICATIONS.--

3775 (c) Workforce Florida, Inc., may make modifications to the
3776 state's plan, policies, and procedures to comply with federally
3777 mandated requirements that in its judgment are necessary ~~must be~~
3778 ~~complied with~~ to maintain funding provided pursuant to Pub. L.
3779 No. 105-220. ~~The board shall notify in writing the Governor, the~~
3780 ~~President of the Senate, and the Speaker of the House of~~
3781 ~~Representatives within 30 days after any such changes or~~
3782 ~~modifications.~~

3783 Section 148. Subsection (1) and paragraph (a) of subsection
3784 (6) of section 445.006, Florida Statutes, are amended to read:

3785 445.006 Strategic and operational plans for workforce
3786 development.--

3787 (1) Workforce Florida, Inc., in conjunction with state and
3788 local partners in the workforce system, shall develop a strategic
3789 plan having for workforce, with the goal of producing skilled
3790 employees for employers in the state. ~~The strategic plan shall be~~
3791 ~~submitted to the Governor, the President of the Senate, and the~~
3792 ~~Speaker of the House of Representatives by February 1, 2001. The~~
3793 strategic plan shall be updated or modified by January 1 of each
3794 year ~~thereafter~~. The plan must include, but need not be limited
3795 to, strategies for:

3796 (a) Fulfilling the workforce system goals and strategies
3797 prescribed in s. 445.004;

3798 (b) Aggregating, integrating, and leveraging workforce
3799 system resources;

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3800 (c) Coordinating the activities of federal, state, and
3801 local workforce system partners;

3802 (d) Addressing the workforce needs of small businesses; and
3803 (e) Fostering the participation of rural communities and
3804 distressed urban cores in the workforce system.

3805 (6) (a) The operational plan must include strategies that
3806 are designed to prevent or reduce the need for a person to
3807 receive public assistance. These strategies must include:

3808 1. A teen pregnancy prevention component that includes, but
3809 is not limited to, a plan for implementing the ~~Florida Education~~
3810 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
3811 Teen Pregnancy Prevention Community Initiative within each county
3812 of the services area in which the teen birth rate is higher than
3813 the state average;

3814 2. A component that encourages creation of community-based
3815 welfare prevention and reduction initiatives that increase
3816 support provided by noncustodial parents to their welfare-
3817 dependent children and are consistent with program and financial
3818 guidelines developed by Workforce Florida, Inc., and the
3819 Commission on Responsible Fatherhood. These initiatives may
3820 include, ~~but are not limited to,~~ improved paternity
3821 establishment, work activities for noncustodial parents, programs
3822 aimed at decreasing out-of-wedlock pregnancies, encouraging
3823 involvement of fathers with their children including court-
3824 ordered supervised visitation, and increasing child support
3825 payments;

3826 3. A component that encourages formation and maintenance of
3827 two-parent families through, among other things, court-ordered
3828 supervised visitation;

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3829 4. A component that fosters responsible fatherhood in
3830 families receiving assistance; and

3831 5. A component that fosters provision of services that
3832 reduce the incidence and effects of domestic violence on women
3833 and children in families receiving assistance.

3834 Section 149. Subsection (4) of section 445.022, Florida
3835 Statutes, is repealed.

3836 Section 150. Paragraphs (a) and (c) of subsection (4) of
3837 section 446.50, Florida Statutes, are amended to read:

3838 446.50 Displaced homemakers; multiservice programs; report
3839 to the Legislature; Displaced Homemaker Trust Fund created.--

3840 (4) STATE PLAN.--

3841 (a) The Agency for Workforce Innovation shall develop a 3-
3842 year state plan for the displaced homemaker program which shall
3843 be updated annually and submitted to the Legislature by January
3844 1. The plan must address, at a minimum, the need for programs
3845 specifically designed to serve displaced homemakers, any
3846 necessary service components for such programs in addition to
3847 those enumerated in this section, goals of the displaced
3848 homemaker program including ~~with~~ an analysis of the extent to
3849 which those goals are being met, and recommendations for ways to
3850 address any unmet program goals. Any request for funds for
3851 program expansion must be based on the state plan.

3852 ~~(c) The 3-year state plan must be submitted to the~~
3853 ~~President of the Senate, the Speaker of the House of~~
3854 ~~Representatives, and the Governor on or before January 1, 2001,~~
3855 ~~and annual updates of the plan must be submitted by January 1 of~~
3856 ~~each subsequent year.~~

3857 Section 151. Section 455.204, Florida Statutes, is

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3858 repealed.

3859 Section 152. Subsection (8) of section 455.2226, Florida
3860 Statutes, is repealed.

3861 Section 153. Subsection (6) of section 455.2228, Florida
3862 Statutes, is repealed.

3863 Section 154. Section 456.005, Florida Statutes, is amended
3864 to read:

3865 456.005 Long-range policy planning; ~~plans, reports, and~~
3866 ~~recommendations.~~--To facilitate efficient and cost-effective
3867 regulation, the department and the board, where appropriate,
3868 shall develop and implement a long-range policy planning and
3869 monitoring process that includes ~~to include~~ recommendations
3870 specific to each profession. Such process shall include
3871 estimates of revenues, expenditures, cash balances, and
3872 performance statistics for each profession. The period covered
3873 shall not be less than 5 years. The department, with input from
3874 the boards and licensees, shall develop and adopt the long-range
3875 plan ~~and must obtain the approval of the State Surgeon General.~~
3876 The department shall monitor compliance with the ~~approved long-~~
3877 ~~range~~ plan and, with input from the boards and licensees, shall
3878 annually update the plans ~~for approval by the State Surgeon~~
3879 ~~General.~~ The department shall provide concise management reports
3880 to the boards quarterly. As part of the review process, the
3881 department shall evaluate:

3882 (1) Whether the department, including the boards and the
3883 various functions performed by the department, is operating
3884 efficiently and effectively and if there is a need for a board or
3885 council to assist in cost-effective regulation.

3886 (2) How and why the various professions are regulated.

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3887 (3) Whether there is a need to continue regulation, and to
3888 what degree.

3889 (4) Whether or not consumer protection is adequate, and how
3890 it can be improved.

3891 (5) Whether there is consistency between the various
3892 practice acts.

3893 (6) Whether unlicensed activity is adequately enforced.

3894

3895 Such plans should include conclusions and recommendations on
3896 these and other issues as appropriate. ~~Such plans shall be
3897 provided to the Governor and the Legislature by November 1 of
3898 each year.~~

3899 Section 155. Subsection (9) of section 456.025, Florida
3900 Statutes, is amended to read:

3901 456.025 Fees; receipts; disposition.--

3902 (9) The department shall provide a ~~condensed~~ management
3903 report of revenues and expenditures ~~budgets, finances,~~
3904 performance measures ~~statistics,~~ and recommendations to each
3905 board at least once a quarter. ~~The department shall identify and
3906 include in such presentations any changes, or projected changes,
3907 made to the board's budget since the last presentation.~~

3908 Section 156. Subsection (6) of section 456.034, Florida
3909 Statutes, is repealed.

3910 Section 157. Subsections (3) and (4) of section 517.302,
3911 Florida Statutes, are amended to read:

3912 517.302 Criminal penalties; alternative fine; Anti-Fraud
3913 Trust Fund; time limitation for criminal prosecution.--

3914 (3) In lieu of a fine ~~otherwise~~ authorized by law, a person
3915 who has been convicted of or who has pleaded guilty or no contest

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3916 to having engaged in conduct in violation of the provisions of
3917 this chapter may be sentenced to pay a fine that does not exceed
3918 the greater of three times the gross value gained or three times
3919 the gross loss caused by such conduct, plus court costs and the
3920 costs of investigation and prosecution reasonably incurred.

3921 (4) ~~(a)~~ There is created within the office a trust fund to
3922 be known as the Anti-Fraud Trust Fund. Any amounts assessed as
3923 costs of investigation and prosecution under this subsection
3924 shall be deposited in the trust fund. Funds deposited in such
3925 trust fund must ~~shall~~ be used, when authorized by appropriation,
3926 for investigation and prosecution of administrative, civil, and
3927 criminal actions arising under the provisions of this chapter.
3928 Funds may also be used to improve the public's awareness and
3929 understanding of prudent investing.

3930 ~~(b) The office shall report to the Executive Office of the~~
3931 ~~Governor annually by November 15, the amounts deposited into the~~
3932 ~~Anti-Fraud Trust Fund during the previous fiscal year. The~~
3933 ~~Executive Office of the Governor shall distribute these reports~~
3934 ~~to the President of the Senate and the Speaker of the House of~~
3935 ~~Representatives.~~

3936 (5) ~~(4)~~ Criminal prosecution for offenses under this chapter
3937 is subject to the time limitations of s. 775.15.

3938 Section 158. Subsection (3) of section 531.415, Florida
3939 Statutes, is repealed.

3940 Section 159. Section 553.975, Florida Statutes, is
3941 repealed.

3942 Section 160. Subsection (3) of section 570.0705, Florida
3943 Statutes, is repealed.

3944 Section 161. Subsection (5) of section 570.0725, Florida

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3945 Statutes, is repealed.

3946 Section 162. Subsection (3) of section 570.543, Florida
3947 Statutes, is repealed.

3948 Section 163. Section 603.204, Florida Statutes, is amended
3949 to read:

3950 603.204 South Florida Tropical Fruit Plan.--

3951 ~~(1)~~ The Commissioner of Agriculture, in consultation with
3952 the Tropical Fruit Advisory Council, shall develop and update, ~~at~~
3953 ~~least 90 days prior to the 1991 legislative session, submit to~~
3954 ~~the President of the Senate, the Speaker of the House of~~
3955 ~~Representatives, and the chairs of appropriate Senate and House~~
3956 ~~of Representatives committees,~~ a South Florida Tropical Fruit
3957 Plan, which shall identify problems and constraints of the
3958 tropical fruit industry, propose possible solutions to such
3959 problems, and develop planning mechanisms for orderly growth of
3960 the industry, including:

3961 (1) ~~(a)~~ Criteria for tropical fruit research, service, and
3962 management priorities.

3963 (2) ~~(b)~~ ~~Additional~~ Proposed legislation that ~~which~~ may be
3964 required.

3965 (3) ~~(c)~~ Plans relating to other tropical fruit programs and
3966 related disciplines in the State University System.

3967 (4) ~~(d)~~ Potential tropical fruit products in terms of market
3968 and needs for development.

3969 (5) ~~(e)~~ Evaluation of production and fresh fruit policy
3970 alternatives, including, but not limited to, setting minimum
3971 grades and standards, promotion and advertising, development of
3972 production and marketing strategies, and setting minimum
3973 standards on types and quality of nursery plants.

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3974 (6)~~(f)~~ Evaluation of policy alternatives for processed
 3975 tropical fruit products, including, but not limited to, setting
 3976 minimum quality standards and development of production and
 3977 marketing strategies.

3978 (7)~~(g)~~ Research and service priorities for further
 3979 development of the tropical fruit industry.

3980 (8)~~(h)~~ Identification of state agencies and public and
 3981 private institutions concerned with research, education,
 3982 extension, services, planning, promotion, and marketing functions
 3983 related to tropical fruit development, and delineation of
 3984 contributions and responsibilities. The recommendations in the
 3985 ~~South Florida Tropical Fruit~~ plan relating to education or
 3986 research shall be submitted to the Institute of Food and
 3987 Agricultural Sciences. ~~The recommendations relating to regulation~~
 3988 ~~or marketing shall be submitted to the Department of Agriculture~~
 3989 ~~and Consumer Services.~~

3990 (9)~~(i)~~ Business planning, investment potential, financial
 3991 risks, and economics of production and utilization.

3992 ~~(2) A revision and update of the South Florida Tropical~~
 3993 ~~Fruit Plan shall be submitted biennially, and a progress report~~
 3994 ~~and budget request shall be submitted annually, to the officials~~
 3995 ~~specified in subsection (1).~~

3996 Section 164. Subsection (6) of section 627.64872, Florida
 3997 Statutes, is amended to read:

3998 627.64872 Florida Health Insurance Plan.--

3999 (6) ~~INTERIM REPORT;~~ ANNUAL REPORT.--

4000 ~~(a) By no later than December 1, 2004, the board shall~~
 4001 ~~report to the Governor, the President of the Senate, and the~~
 4002 ~~Speaker of the House of Representatives the results of an~~

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4003 ~~actuarial study conducted by the board to determine, including,~~
4004 ~~but not limited to:~~

4005 ~~1. The impact the creation of the plan will have on the~~
4006 ~~small group insurance market and the individual market on~~
4007 ~~premiums paid by insureds. This shall include an estimate of the~~
4008 ~~total anticipated aggregate savings for all small employers in~~
4009 ~~the state.~~

4010 ~~2. The number of individuals the pool could reasonably~~
4011 ~~cover at various funding levels, specifically, the number of~~
4012 ~~people the pool may cover at each of those funding levels.~~

4013 ~~3. A recommendation as to the best source of funding for~~
4014 ~~the anticipated deficits of the pool.~~

4015 ~~4. The effect on the individual and small group market by~~
4016 ~~including in the Florida Health Insurance Plan persons eligible~~
4017 ~~for coverage under s. 627.6487, as well as the cost of including~~
4018 ~~these individuals.~~

4019
4020 ~~The board shall take no action to implement the Florida Health~~
4021 ~~Insurance Plan, other than the completion of the actuarial study~~
4022 ~~authorized in this paragraph, until funds are appropriated for~~
4023 ~~startup cost and any projected deficits.~~

4024 ~~(b) No later than December 1, 2005, and annually~~
4025 ~~thereafter, The board shall annually submit to the Governor, the~~
4026 ~~President of the Senate, and the Speaker of the House of~~
4027 ~~Representatives, and the substantive legislative committees of~~
4028 ~~the Legislature a report that ~~which~~ includes an independent~~
4029 ~~actuarial study to determine, without limitation, the following~~
4030 ~~including, but not be limited to:~~

4031 ~~(a)1. The effect ~~impact~~ the creation of the plan has on the~~

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4032 small group and individual insurance market, specifically on the
4033 premiums paid by insureds including. ~~This shall include~~ an
4034 estimate of the total anticipated aggregate savings for all small
4035 employers in the state.

4036 (b)2. The actual number of individuals covered at the
4037 current funding and benefit level, the projected number of
4038 individuals that may seek coverage in the forthcoming fiscal
4039 year, and the projected funding needed to cover anticipated
4040 increase or decrease in plan participation.

4041 (c)3. A recommendation as to the best source of funding for
4042 the anticipated deficits of the pool.

4043 (d)4. A summary ~~summarization~~ of the activities of the plan
4044 in the preceding calendar year, including the net written and
4045 earned premiums, plan enrollment, the expense of administration,
4046 and the paid and incurred losses.

4047 (e)5. A review of the operation of the plan as to whether
4048 the plan has met the intent of this section.

4049
4050 The board shall take no action to implement the Florida Health
4051 Insurance Plan, other than the completion of the actuarial study
4052 authorized in this subsection, until funds are appropriated for
4053 startup costs and any projected deficits.

4054 Section 165. Subsections (5) and (7) of section 744.708,
4055 Florida Statutes, are amended to read:

4056 744.708 Reports and standards.--

4057 (5) (a) Each office of public guardian shall undergo an
4058 independent audit by a qualified certified public accountant at
4059 least once every 2 years. A copy of the audit report shall be
4060 submitted to the Statewide Public Guardianship Office.

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4061 (b) In addition to regular monitoring activities, the
4062 Statewide Public Guardianship Office shall conduct an
4063 investigation into the practices of each office of public
4064 guardian related to the managing of each ward's personal affairs
4065 and property. When feasible, the investigation required under
4066 this paragraph shall be conducted in conjunction with the
4067 financial audit of each office of public guardian under paragraph
4068 (a).

4069 ~~(c) In addition, each office of public guardian shall be~~
4070 ~~subject to audits or examinations by the Auditor General and the~~
4071 ~~Office of Program Policy Analysis and Government Accountability~~
4072 ~~pursuant to law.~~

4073 (7) The ratio for professional staff to wards shall be 1
4074 professional to 40 wards. The Statewide Public Guardianship
4075 Office may increase or decrease the ratio after consultation with
4076 the local public guardian and the chief judge of the circuit
4077 court. The basis of the decision to increase or decrease the
4078 prescribed ratio shall be included ~~reported~~ in the annual report
4079 to the secretary ~~of Elderly Affairs, the Governor, the President~~
4080 ~~of the Senate, the Speaker of the House of Representatives, and~~
4081 ~~the Chief Justice of the Supreme Court.~~

4082 Section 166. Subsection (3) of section 765.5215, Florida
4083 Statutes, is repealed.

4084 Section 167. Subsection (6) of section 768.295, Florida
4085 Statutes, is amended to read:

4086 768.295 Strategic Lawsuits Against Public Participation
4087 (SLAPP) suits by governmental entities prohibited.--

4088 (6) In any case filed by a governmental entity which is
4089 found by a court to be in violation of this section, the

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4090 governmental entity shall report such finding and provide a copy
4091 of the court's order to the Attorney General no later than 30
4092 days after such order is final. The Attorney General shall
4093 maintain a record of such court orders ~~report any violation of~~
4094 ~~this section by a governmental entity to the Cabinet, the~~
4095 ~~President of the Senate, and the Speaker of the House of~~
4096 ~~Representatives. A copy of such report shall be provided to the~~
4097 ~~affected governmental entity.~~

4098 Section 168. Paragraph (c) of subsection (3) of section
4099 775.084, Florida Statutes, is amended to read:

4100 775.084 Violent career criminals; habitual felony offenders
4101 and habitual violent felony offenders; three-time violent felony
4102 offenders; definitions; procedure; enhanced penalties or
4103 mandatory minimum prison terms.--

4104 (3)

4105 (c) In a separate proceeding, the court shall determine
4106 whether the defendant is a violent career criminal with respect
4107 to a primary offense committed on or after October 1, 1995. The
4108 procedure shall be as follows:

4109 1. Written notice shall be served on the defendant and the
4110 defendant's attorney a sufficient time prior to the entry of a
4111 plea or prior to the imposition of sentence ~~in order~~ to allow the
4112 preparation of a submission on behalf of the defendant.

4113 2. All evidence presented shall be presented in open court
4114 with full rights of confrontation, cross-examination, and
4115 representation by counsel.

4116 3. Each of the findings required as the basis for such
4117 sentence shall be found to exist by a preponderance of the
4118 evidence and shall be appealable only as provided in paragraph

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4119 (d).

4120 4. For the purpose of identification, the court shall
4121 fingerprint the defendant pursuant to s. 921.241.

4122 ~~5. For an offense committed on or after October 1, 1995, if~~
4123 ~~the state attorney pursues a violent career criminal sanction~~
4124 ~~against the defendant and the court, in a separate proceeding~~
4125 ~~pursuant to this paragraph, determines that the defendant meets~~
4126 ~~the criteria under subsection (1) for imposing such sanction, the~~
4127 ~~court must sentence the defendant as a violent career criminal,~~
4128 ~~subject to imprisonment pursuant to this section unless the court~~
4129 ~~finds that such sentence is not necessary for the protection of~~
4130 ~~the public. If the court finds that it is not necessary for the~~
4131 ~~protection of the public to sentence the defendant as a violent~~
4132 ~~career criminal, the court shall provide written reasons; a~~
4133 ~~written transcript of orally stated reasons is permissible, if~~
4134 ~~filed by the court within 7 days after the date of sentencing.~~
4135 ~~Each month, the court shall submit to the Office of Economic and~~
4136 ~~Demographic Research of the Legislature the written reasons or~~
4137 ~~transcripts in each case in which the court determines not to~~
4138 ~~sentence a defendant as a violent career criminal as provided in~~
4139 ~~this subparagraph.~~

4140 Section 169. Subsection (8) of section 790.22, Florida
4141 Statutes, is amended to read:

4142 790.22 Use of BB guns, air or gas-operated guns, or
4143 electric weapons or devices by minor under 16; limitation;
4144 possession of firearms by minor under 18 prohibited; penalties.--

4145 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
4146 ~~under 18 years of age~~ is charged with an offense that involves
4147 the use or possession of a firearm, ~~as defined in s. 790.001,~~

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4148 including a violation of subsection (3), or is charged for any
4149 offense during the commission of which the minor possessed a
4150 firearm, the minor shall be detained in secure detention, unless
4151 the state attorney authorizes the release of the minor, and shall
4152 be given a hearing within 24 hours after being taken into
4153 custody. At the hearing, the court may order that the minor
4154 continue to be held in secure detention in accordance with the
4155 applicable time periods specified in s. 985.26(1)-(5), if the
4156 court finds that the minor meets the criteria specified in s.
4157 985.255, or if the court finds by clear and convincing evidence
4158 that the minor is a clear and present danger to himself or
4159 herself or the community. The Department of Juvenile Justice
4160 shall prepare a form for all minors charged under this subsection
4161 that states the period of detention and the relevant demographic
4162 information, including, but not limited to, the sex, age, and
4163 race of the minor; whether or not the minor was represented by
4164 private counsel or a public defender; the current offense; and
4165 the minor's complete prior record, including any pending cases.
4166 The form shall be provided to the judge to be considered when
4167 determining whether the minor should be continued in secure
4168 detention under this subsection. An order placing a minor in
4169 secure detention because the minor is a clear and present danger
4170 to himself or herself or the community must be in writing, must
4171 specify the need for detention and the benefits derived by the
4172 minor or the community by placing the minor in secure detention,
4173 and must include a copy of the form provided by the department.
4174 ~~The Department of Juvenile Justice must send the form, including~~
4175 ~~a copy of any order, without client identifying information, to~~
4176 ~~the Office of Economic and Demographic Research.~~

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4177 Section 170. Section 943.125, Florida Statutes, is amended
4178 to read:

4179 943.125 Law enforcement agency accreditation; intent.--

4180 ~~(1) LEGISLATIVE INTENT.--~~

4181 (1)(a) It is the intent of the Legislature that law
4182 enforcement agencies in the state be upgraded and strengthened
4183 through the adoption of meaningful standards of operation for
4184 those agencies.

4185 (2)(b) It is the further intent of the Legislature that law
4186 enforcement agencies voluntarily adopt standards designed to
4187 promote equal and fair law enforcement, to maximize the
4188 capability of law enforcement agencies to prevent and control
4189 criminal activities, and to increase interagency cooperation
4190 throughout the state.

4191 (3)(c) It is further the intent of the Legislature to
4192 encourage the Florida Sheriffs Association and the Florida Police
4193 Chiefs Association to develop, either jointly or separately, a
4194 law enforcement agency accreditation program. The ~~Such~~ program
4195 must ~~shall~~ be independent of any law enforcement agency, the
4196 Florida Sheriffs Association, or the Florida Police Chiefs
4197 Association. The ~~Any such law enforcement agency accreditation~~
4198 program should address, at a minimum, the following aspects of
4199 law enforcement:

4200 (a)1. Vehicle pursuits.

4201 (b)2. Seizure and forfeiture of contraband articles.

4202 (c)3. Recording and processing citizens' complaints.

4203 (d)4. Use of force.

4204 (e)5. Traffic stops.

4205 (f)6. Handling natural and manmade disasters.

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- 4206 (g)~~7.~~ Special operations.
4207 (h)~~8.~~ Prisoner transfer.
4208 (i)~~9.~~ Collection and preservation of evidence.
4209 (j)~~10.~~ Recruitment and selection.
4210 (k)~~11.~~ Officer training.
4211 (l)~~12.~~ Performance evaluations.
4212 (m)~~13.~~ Law enforcement disciplinary procedures and rights.
4213 (n)~~14.~~ Use of criminal investigative funds.

4214 ~~(2) FEASIBILITY AND STATUS REPORT.--The Florida Sheriffs~~
4215 ~~Association and the Florida Police Chiefs Association, either~~
4216 ~~jointly or separately, shall report to the Speaker of the House~~
4217 ~~of Representatives and the President of the Senate regarding the~~
4218 ~~feasibility of a law enforcement agency accreditation program and~~
4219 ~~the status of the efforts of the Florida Sheriffs Association and~~
4220 ~~the Florida Police Chiefs Association to develop a law~~
4221 ~~enforcement agency accreditation program as provided in this~~
4222 ~~section.~~

4223 Section 171. Subsection (9) of section 943.68, Florida
4224 Statutes, is amended to read:

4225 943.68 Transportation and protective services.--

4226 (9) The department shall submit a report each July 15 to
4227 ~~the President of the Senate, Speaker of the House of~~
4228 ~~Representatives, Governor, the Legislature, and members of the~~
4229 ~~Cabinet, detailing all transportation and protective services~~
4230 ~~provided under subsections (1), (5), and (6) within the preceding~~
4231 ~~fiscal year. Each report shall include a detailed accounting of~~
4232 ~~the cost of such transportation and protective services,~~
4233 ~~including the names of persons provided such services and the~~
4234 ~~nature of state business performed.~~

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4235 Section 172. Section 944.023, Florida Statutes, is amended
4236 to read:

4237 944.023 Institutional capacity ~~Comprehensive correctional~~
4238 ~~master plan.--~~

4239 (1) As used in this section and s. 944.0231, the term:

4240 (a) "Criminal Justice Estimating Conference" means the
4241 Criminal Justice Estimating Conference referred to in s. 216.136
4242 ~~s. 216.136(5)~~.

4243 (b) "Total capacity" of the state correctional system means
4244 the total design capacity of all institutions and facilities in
4245 the state correctional system, which may include those facilities
4246 authorized and funded under chapter 957, increased by one-half,
4247 with the following exceptions:

4248 1. Medical and mental health beds must remain at design
4249 capacity.

4250 2. Community-based contracted beds must remain at design
4251 capacity.

4252 3. The one-inmate-per-cell requirement at Florida State
4253 Prison and other maximum security facilities must be maintained
4254 pursuant to paragraph (3) (a) ~~(7)(a)~~.

4255 4. Community correctional centers and drug treatment
4256 centers must be increased by one-third.

4257 5. A housing unit may not exceed its maximum capacity
4258 pursuant to paragraphs (3) (a) ~~(7)(a)~~ and (b).

4259 6. A number of beds equal to 5 percent of total capacity
4260 shall be deducted for management beds at institutions.

4261 (c) "State correctional system" means the correctional
4262 system as defined in s. 944.02.

4263 ~~(2) The department shall develop a comprehensive~~

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4264 ~~correctional master plan. The master plan shall project the~~
4265 ~~needs for the state correctional system for the coming 5-year~~
4266 ~~period and shall be updated annually and submitted to the~~
4267 ~~Governor's office and the Legislature at the same time the~~
4268 ~~department submits its legislative budget request as provided in~~
4269 ~~chapter 216.~~

4270 ~~(3) The purposes of the comprehensive correctional master~~
4271 ~~plan shall be:~~

4272 ~~(a) To ensure that the penalties of the criminal justice~~
4273 ~~system are completely and effectively administered to the~~
4274 ~~convicted criminals and, to the maximum extent possible, that the~~
4275 ~~criminal is provided opportunities for self-improvement and~~
4276 ~~returned to freedom as a productive member of society.~~

4277 ~~(b) To the extent possible, to protect the public safety~~
4278 ~~and the law-abiding citizens of this state and to carry out the~~
4279 ~~laws protecting the rights of the victims of convicted criminals.~~

4280 ~~(c) To develop and maintain a humane system of punishment~~
4281 ~~providing prison inmates with proper housing, nourishment, and~~
4282 ~~medical attention.~~

4283 ~~(d) To provide fair and adequate compensation and benefits~~
4284 ~~to the employees of the state correctional system.~~

4285 ~~(e) To the extent possible, to maximize the effective and~~
4286 ~~efficient use of the principles used in private business.~~

4287 ~~(f) To provide that convicted criminals not be incarcerated~~
4288 ~~for any longer period of time or in any more secure facility than~~
4289 ~~is necessary to ensure adequate sanctions, rehabilitation of~~
4290 ~~offenders, and protection of public safety.~~

4291 ~~(4) The comprehensive correctional master plan shall use~~
4292 ~~the estimates of the Criminal Justice Estimating Conference and~~

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4293 shall include:

4294 ~~(a) A plan for the decentralization of reception and~~
4295 ~~classification facilities for the implementation of a systemwide~~
4296 ~~diagnosis and evaluation capability for adult offenders. The~~
4297 ~~plan shall provide for a system of psychological testing and~~
4298 ~~evaluation as well as medical screening through department~~
4299 ~~resources or with other public or private agencies through a~~
4300 ~~purchase of services agreement.~~

4301 ~~(b) A plan developed by the department for the~~
4302 ~~comprehensive vocational and educational training of, and~~
4303 ~~treatment programs for, offenders and their evaluation within~~
4304 ~~each institution, program, or facility of the department, based~~
4305 ~~upon the identified needs of the offender and the requirements of~~
4306 ~~the employment market.~~

4307 ~~(c) A plan contracting with local facilities and programs~~
4308 ~~as short-term confinement resources of the department for~~
4309 ~~offenders who are sentenced to 3 years or less, or who are within~~
4310 ~~3 years or less of their anticipated release date, and~~
4311 ~~integration of detention services which have community-based~~
4312 ~~programs. The plan shall designate such facilities and programs~~
4313 ~~by region of the state and identify, by county, the capability~~
4314 ~~for local incarceration.~~

4315 ~~(d) A detailed analysis of methods to implement diversified~~
4316 ~~alternatives to institutionalization when such alternatives can~~
4317 ~~be safely employed. The analysis shall include an assessment of~~
4318 ~~current pretrial intervention, probation, and community control~~
4319 ~~alternatives and their cost-effectiveness with regard to~~
4320 ~~restitution to victims, reimbursements for cost of supervision,~~
4321 ~~and subsequent violations resulting in commitments to the~~

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4322 ~~department. Such analysis shall also include an assessment of~~
4323 ~~current use of electronic surveillance of offenders and projected~~
4324 ~~potential for diverting additional categories of offenders from~~
4325 ~~incarceration within the department.~~

4326 ~~(e) A detailed analysis of current incarceration rates of~~
4327 ~~both the state and county correctional systems with the~~
4328 ~~calculation by the department of the current and projected ratios~~
4329 ~~of inmates in the correctional system, as defined in s. 945.01,~~
4330 ~~to the general population of the state which will serve as a~~
4331 ~~basis for projecting construction needs.~~

4332 ~~(f) A plan for community-based facilities and programs for~~
4333 ~~the reintegration of offenders into society whereby inmates who~~
4334 ~~are being released shall receive assistance. Such assistance may~~
4335 ~~be through work release, transition assistance, release~~
4336 ~~assistance stipend, contract release, postrelease special~~
4337 ~~services, temporary housing, or job placement programs.~~

4338 ~~(g) A plan reflecting parity of pay or comparable economic~~
4339 ~~benefits for correctional officers with that of law enforcement~~
4340 ~~officers in this state, and an assessment of projected impacts on~~
4341 ~~turnover rates within the department.~~

4342 ~~(h) A plan containing habitability criteria which defines~~
4343 ~~when beds are available and functional for use by inmates, and~~
4344 ~~containing factors which define when institutions and facilities~~
4345 ~~may be added to the inventory of the state correctional system.~~

4346 ~~(5) The comprehensive correctional master plan shall~~
4347 ~~project by year the total operating and capital outlay costs~~
4348 ~~necessary for constructing a sufficient number of prison beds to~~
4349 ~~avoid a deficiency in prison beds. Included in the master plan~~
4350 ~~which projects operating and capital outlay costs shall be a~~

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4351 ~~siting plan which shall assess, rank, and designate appropriate~~
4352 ~~sites pursuant to s. 944.095(2)(a)-(k). The master plan shall~~
4353 ~~include an assessment of the department's current capability for~~
4354 ~~providing the degree of security necessary to ensure public~~
4355 ~~safety and should reflect the levels of security needed for the~~
4356 ~~forecasted admissions of various types of offenders based upon~~
4357 ~~sentence lengths and severity of offenses. The plan shall also~~
4358 ~~provide construction options for targeting violent and habitual~~
4359 ~~offenders for incarceration while providing specific alternatives~~
4360 ~~for the various categories of lesser offenders.~~

4361 (2)~~(6)~~ Institutions within the state correctional system
4362 shall have the following design capacity factors:

4363 (a) Rooms and prison cells between 40 square feet and 90
4364 square feet, inclusive: one inmate per room or prison cell.

4365 (b) Dormitory-style rooms and other rooms exceeding 90
4366 square feet: one inmate per 55 square feet.

4367 (c) At institutions with rooms or cells, except to the
4368 extent that separate confinement cells have been constructed, a
4369 number of rooms or prison cells equal to 3 percent of total
4370 design capacity must be deducted from design capacity and set
4371 aside for confinement purposes.

4372 (d) Bed count calculations used to determine design
4373 capacity shall only include beds which are functional and
4374 available for use by inmates.

4375 (3)~~(7)~~ Institutions within the state correctional system
4376 shall have the following maximum capacity factors:

4377 (a) Rooms and prison cells between 40 square feet and 60
4378 square feet, inclusive: one inmate per room or cell. If the
4379 room or prison cell is between 60 square feet and 90 square feet,

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4380 inclusive, two inmates are allowed in each room, except that one
4381 inmate per room or prison cell is allowed at Florida State Prison
4382 or any other maximum security institution or facility which may
4383 be constructed.

4384 (b) Dormitory-style rooms and other rooms exceeding 90
4385 square feet: one inmate per 37.5 square feet. Double-bunking is
4386 generally allowed only along the outer walls of a dormitory.

4387 (c) At institutions with rooms or cells, except to the
4388 extent that separate confinement cells have been constructed, a
4389 number of rooms or prison cells equal to 3 percent of total
4390 maximum capacity are not available for maximum capacity, and must
4391 be set aside for confinement purposes, thereby reducing maximum
4392 capacity by 6 percent since these rooms would otherwise house two
4393 inmates.

4394 (d) A number of beds equal to 5 percent of total maximum
4395 capacity must be deducted for management at institutions.

4396 Section 173. Paragraph (f) of subsection (3) of section
4397 944.801, Florida Statutes, is amended to read:

4398 944.801 Education for state prisoners.--

4399 (3) The responsibilities of the Correctional Education
4400 Program shall be to:

4401 (f) Report annual activities to the Secretary of
4402 Corrections, ~~the Commissioner of Education, the Governor, and the~~
4403 ~~Legislature.~~

4404 Section 174. Subsection (10) of section 945.35, Florida
4405 Statutes, is repealed.

4406 Section 175. Paragraph (d) of subsection (8) of section
4407 948.10, Florida Statutes, is repealed.

4408 Section 176. Subsection (9) of section 958.045, Florida

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4409 Statutes, is repealed.

4410 Section 177. Paragraph (c) of subsection (1) of section
4411 960.045, Florida Statutes, is amended to read:

4412 960.045 Department of Legal Affairs; powers and duties.--It
4413 shall be the duty of the department to assist persons who are
4414 victims of crime.

4415 (1) The department shall:

4416 (c) Prepare an annual Report, prior to January 1 of each
4417 year, to the presiding officers of the Senate and House of
4418 Representatives a written report of the activities of the Crime
4419 Victims' Services Office, which shall be available on the
4420 department's Internet website.

4421 Section 178. Paragraph (c) of subsection (8) of section
4422 985.02, Florida Statutes, is repealed.

4423 Section 179. Subsections (3), (4), and (5) of section
4424 985.047, Florida Statutes, are amended to read:

4425 985.047 Information systems.--

4426 ~~(3) In order to assist in the integration of the~~
4427 ~~information to be shared, the sharing of information obtained,~~
4428 ~~the joint planning on diversion and early intervention strategies~~
4429 ~~for juveniles at risk of becoming serious habitual juvenile~~
4430 ~~offenders, and the intervention strategies for serious habitual~~
4431 ~~juvenile offenders, a multiagency task force should be organized~~
4432 ~~and utilized by the law enforcement agency or county in~~
4433 ~~conjunction with the initiation of the information system~~
4434 ~~described in subsections (1) and (2). The multiagency task force~~
4435 ~~shall be composed of representatives of those agencies and~~
4436 ~~persons providing information for the central identification file~~
4437 ~~and the multiagency information sheet.~~

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4438 ~~(4) This multiagency task force shall develop a plan for~~
4439 ~~the information system that includes measures which identify and~~
4440 ~~address any disproportionate representation of ethnic or racial~~
4441 ~~minorities in the information systems and shall develop~~
4442 ~~strategies that address the protection of individual~~
4443 ~~constitutional rights.~~

4444 (3) ~~(5)~~ Any law enforcement agency, or county that ~~which~~
4445 implements a juvenile offender information system ~~and the~~
4446 ~~multiagency task force which maintain the information system~~ must
4447 annually provide any information gathered during the previous
4448 year to the delinquency and gang prevention council of the
4449 judicial circuit in which the county is located. This
4450 information must ~~shall~~ include the number, types, and patterns of
4451 delinquency tracked by the juvenile offender information system.

4452 Section 180. Paragraph (a) of subsection (8) of section
4453 985.47, Florida Statutes, is amended to read:

4454 985.47 Serious or habitual juvenile offender.--

4455 (8) ASSESSMENT AND TREATMENT SERVICES.--Pursuant to this
4456 chapter and the establishment of appropriate program guidelines
4457 and standards, contractual instruments, which shall include
4458 safeguards of all constitutional rights, shall be developed as
4459 follows:

4460 (a) The department shall provide for:

4461 1. The oversight of implementation of assessment and
4462 treatment approaches.

4463 2. The identification and prequalification of appropriate
4464 individuals or not-for-profit organizations, including minority
4465 individuals or organizations when possible, to provide assessment
4466 and treatment services to serious or habitual delinquent

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4467 children.

4468 3. The monitoring and evaluation of assessment and
4469 treatment services for compliance with this chapter and all
4470 applicable rules and guidelines pursuant thereto.

4471 ~~4. The development of an annual report on the performance~~
4472 ~~of assessment and treatment to be presented to the Governor, the~~
4473 ~~Attorney General, the President of the Senate, the Speaker of the~~
4474 ~~House of Representatives, and the Auditor General no later than~~
4475 ~~January 1 of each year.~~

4476 Section 181. Paragraph (a) of subsection (8) of section
4477 985.483, Florida Statutes, is amended to read:

4478 985.483 Intensive residential treatment program for
4479 offenders less than 13 years of age.--

4480 (8) ASSESSMENT AND TREATMENT SERVICES.--Pursuant to this
4481 chapter and the establishment of appropriate program guidelines
4482 and standards, contractual instruments, which shall include
4483 safeguards of all constitutional rights, shall be developed for
4484 intensive residential treatment programs for offenders less than
4485 13 years of age as follows:

4486 (a) The department shall provide for:

4487 1. The oversight of implementation of assessment and
4488 treatment approaches.

4489 2. The identification and prequalification of appropriate
4490 individuals or not-for-profit organizations, including minority
4491 individuals or organizations when possible, to provide assessment
4492 and treatment services to intensive offenders less than 13 years
4493 of age.

4494 3. The monitoring and evaluation of assessment and
4495 treatment services for compliance with this chapter and all

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4496 applicable rules and guidelines pursuant thereto.

4497 ~~4. The development of an annual report on the performance~~
4498 ~~of assessment and treatment to be presented to the Governor, the~~
4499 ~~Attorney General, the President of the Senate, the Speaker of the~~
4500 ~~House of Representatives, the Auditor General, and the Office of~~
4501 ~~Program Policy Analysis and Government Accountability no later~~
4502 ~~than January 1 of each year.~~

4503 Section 182. Subsection (5) of section 985.61, Florida
4504 Statutes, is repealed.

4505 Section 183. Subsection (1) of section 985.622, Florida
4506 Statutes, is amended to read:

4507 985.622 Multiagency plan for vocational education.--

4508 (1) The Department of Juvenile Justice and the Department
4509 of Education shall, in consultation with the statewide Workforce
4510 Development Youth Council, school districts, providers, and
4511 others, jointly develop a multiagency plan for vocational
4512 education which ~~that~~ establishes the curriculum, goals, and
4513 outcome measures for vocational programs in juvenile commitment
4514 facilities. The plan must include:

4515 (a) Provisions for maximizing appropriate state and federal
4516 funding sources, including funds under the Workforce Investment
4517 Act and the Perkins Act;

4518 (b) The responsibilities of both departments and all other
4519 appropriate entities; and

4520 (c) A detailed implementation schedule.

4521
4522 ~~The plan must be submitted to the Governor, the President of the~~
4523 ~~Senate, and the Speaker of the House of Representatives by May 1,~~
4524 ~~2001.~~

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4525 Section 184. Subsection (7) of section 985.632, Florida
4526 Statutes, is repealed.

4527 Section 185. Subsection (19) of section 1002.34, Florida
4528 Statutes, is repealed.

4529 Section 186. Subsection (4) of section 1003.61, Florida
4530 Statutes, is repealed.

4531 Section 187. Subsections (5) through (13) of section
4532 1004.22, Florida Statutes, are amended to read:

4533 1004.22 Divisions of sponsored research at state
4534 universities.--

4535 (5) Moneys deposited in the permanent sponsored research
4536 development fund of a university shall be disbursed in accordance
4537 with the terms of the contract, grant, or donation under which
4538 they are received. Moneys received for overhead or indirect costs
4539 and other moneys not required for the payment of direct costs
4540 shall be applied to the cost of operating the division of
4541 sponsored research. Any surplus moneys shall be used to support
4542 other research or sponsored training programs in any area of the
4543 university. Transportation and per diem expense allowances are
4544 ~~shall be~~ the same as those provided ~~by law~~ in s. 112.061, except
4545 that personnel performing travel under a sponsored research
4546 subcontract may be reimbursed for travel expenses in accordance
4547 with ~~the provisions of~~ the applicable prime contract or grant and
4548 the travel allowances established by the subcontractor, subject
4549 to the requirements of subsection (6) ~~(7)~~, or except as provided
4550 in subsection (10) ~~(11)~~.

4551 ~~(6) (a) Each university shall submit to the Board of~~
4552 ~~Governors a report of the activities of each division of~~
4553 ~~sponsored research together with an estimated budget for the next~~

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4554 | ~~fiscal year.~~

4555 | ~~(b) Not less than 90 days prior to the convening of each~~
4556 | ~~regular session of the Legislature in which an appropriation~~
4557 | ~~shall be made, the Board of Governors shall submit to the chair~~
4558 | ~~of the appropriations committee of each house of the Legislature~~
4559 | ~~a compiled report, together with a compiled estimated budget for~~
4560 | ~~the next fiscal year. A copy of such report and estimated budget~~
4561 | ~~shall be furnished to the Governor, as the chief budget officer~~
4562 | ~~of the state.~~

4563 | (6)~~(7)~~ All purchases of a division of sponsored research
4564 | shall be made in accordance with the policies and procedures of
4565 | the university pursuant to guidelines of the Board of Governors;
4566 | however, upon certification addressed to the university president
4567 | that it is necessary for the efficient or expeditious prosecution
4568 | of a research project, the president may exempt the purchase of
4569 | material, supplies, equipment, or services for research purposes
4570 | from the general purchasing requirement of state law ~~the Florida~~
4571 | ~~Statutes.~~

4572 | (7)~~(8)~~ The university may authorize the construction,
4573 | alteration, or remodeling of buildings when the funds used are
4574 | derived entirely from the sponsored research development fund of
4575 | a university or from that fund in combination with other nonstate
4576 | sources, provided that such construction, alteration, or
4577 | remodeling is for use exclusively in the area of research. The
4578 | university may; ~~it also may~~ authorize the acquisition of real
4579 | property if ~~when~~ the cost is entirely from said funds. Title to
4580 | all real property purchased prior to January 7, 2003, or with
4581 | funds appropriated by the Legislature shall vest in the Board of
4582 | Trustees of the Internal Improvement Trust Fund and may ~~shall~~

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4583 only be transferred or conveyed by it.

4584 (8)~~(9)~~ The sponsored research programs of the Institute of
4585 Food and Agricultural Sciences, the University of Florida Health
4586 Science Center, and the engineering and industrial experiment
4587 station shall continue to be centered at the University of
4588 Florida as ~~heretofore~~ provided by law. Indirect cost
4589 reimbursements of all grants deposited in the Division of
4590 Sponsored Research shall be distributed directly to the above
4591 units in direct proportion to the amounts earned by each unit.

4592 (9)~~(10)~~ The operation of the divisions of sponsored
4593 research and the conduct of the sponsored research program are
4594 expressly exempted from the provisions of ~~any~~ other laws or
4595 portions of laws in conflict herewith and are, subject to the
4596 requirements of subsection (6) ~~(7)~~, exempted from the provisions
4597 of chapters 215, 216, and 283.

4598 (10)~~(11)~~ The divisions of sponsored research may pay, by
4599 advancement or reimbursement, or a combination thereof, the costs
4600 of per diem of university employees and of other authorized
4601 persons, as defined in s. 112.061(2)(e), for foreign travel up to
4602 the current rates as stated in the grant and contract ~~terms~~ and
4603 may also pay incidental expenses as authorized by s. 112.061(8).
4604 This subsection applies to any university employee traveling in
4605 foreign countries for sponsored programs of the university, if
4606 such travel expenses are approved in ~~the terms of~~ the contract or
4607 grant. The provisions of s. 112.061, other than those relating
4608 to per diem, apply to the travel described in this subsection.
4609 As used in this subsection, the term "foreign travel" means any
4610 travel outside the United States and its territories and
4611 possessions and Canada. Persons traveling in foreign countries

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4612 pursuant to this section are ~~shall~~ not ~~be~~ entitled to
4613 reimbursements or advancements pursuant to s. 112.061(6)(a)2. for
4614 such travel.

4615 ~~(11)-(12)~~ Each division of sponsored research is authorized
4616 to advance funds to any principal investigator who, under the
4617 contract or grant ~~terms~~, will be performing a portion of his or
4618 her research at a site that is remote from the university. Funds
4619 may ~~shall~~ be advanced only to employees who have executed a
4620 proper power of attorney with the university to ensure the proper
4621 collection of the ~~such~~ advanced funds if it becomes necessary.
4622 As used in this subsection, the term "remote" means so far
4623 removed from the university as to render normal purchasing and
4624 payroll functions ineffective.

4625 ~~(12)-(13)~~ Each university board of trustees may ~~is~~
4626 ~~authorized to~~ adopt rules, as necessary, to administer this
4627 section.

4628 Section 188. Subsection (6) of section 1004.50, Florida
4629 Statutes, is repealed.

4630 Section 189. Subsections (2) and (4) of section 1004.94,
4631 Florida Statutes, are repealed.

4632 Section 190. Subsection (4) of section 1004.95, Florida
4633 Statutes, is amended to read:

4634 1004.95 Adult literacy centers.--

4635 (4) The State Board of Education shall develop rules for
4636 implementing this section, ~~including criteria for evaluating the~~
4637 ~~performance of the centers, and shall submit an evaluation report~~
4638 ~~of the centers to the Legislature on or before February 1 of each~~
4639 ~~year.~~

4640 Section 191. Section 1006.0605, Florida Statutes, is

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4641 | repealed.

4642 | Section 192. Section 1006.67, Florida Statutes, is
4643 | repealed.

4644 | Section 193. Subsection (8) of section 1009.70, Florida
4645 | Statutes, is amended to read:

4646 | 1009.70 Florida Education Fund.--

4647 | (8) There is created a legal education component of the
4648 | Florida Education Fund to provide the opportunity for minorities
4649 | to attain representation within the legal profession
4650 | proportionate to their representation within the general
4651 | population. The legal education component of the Florida
4652 | Education Fund includes a law school program and a pre-law
4653 | program.

4654 | (a) The law school scholarship program of the Florida
4655 | Education Fund is to be administered by the Board of Directors of
4656 | the Florida Education Fund for the purpose of increasing ~~by 200~~
4657 | the number of minority students enrolled in law schools in this
4658 | state by 200. Implementation of this program is to be phased in
4659 | over a 3-year period.

4660 | 1. The board of directors shall provide financial,
4661 | academic, and other support to students selected for
4662 | participation in this program from funds appropriated by the
4663 | Legislature.

4664 | 2. Student selection must be made in accordance with rules
4665 | adopted by the board of directors for that purpose and must be
4666 | based, at least in part, on an assessment of potential for
4667 | success, merit, and financial need.

4668 | 3. Support must be made available to students who enroll in
4669 | private, as well as public, law schools in this state which are

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4670 accredited by the American Bar Association.

4671 4. Scholarships must be paid directly to the participating
4672 students.

4673 5. Students who participate in this program must agree in
4674 writing to sit for The Florida Bar examination and, upon
4675 successful admission to The Florida Bar, to either practice law
4676 in the state for a period ~~of time~~ equal to the amount of time for
4677 which the student received aid, up to 3 years, or repay the
4678 amount of aid received.

4679 ~~6. Annually, the board of directors shall compile a report~~
4680 ~~that includes a description of the selection process, an analysis~~
4681 ~~of the academic progress of all scholarship recipients, and an~~
4682 ~~analysis of expenditures. This report must be submitted to the~~
4683 ~~President of the Senate, the Speaker of the House of~~
4684 ~~Representatives, and the Governor.~~

4685 (b) The minority pre-law scholarship loan program of the
4686 Florida Education Fund is to be administered by the Board of
4687 Directors of the Florida Education Fund for the purpose of
4688 increasing the opportunity of minority students to prepare for
4689 law school.

4690 1. From funds appropriated by the Legislature, the board of
4691 directors shall provide for student fees, room, board, books,
4692 supplies, and academic and other support to selected minority
4693 undergraduate students matriculating at eligible public and
4694 independent colleges and universities in Florida.

4695 2. Student selection must be made in accordance with rules
4696 adopted by the board of directors for that purpose and must be
4697 based, at least in part, on an assessment of potential for
4698 success, merit, and financial need.

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4699 3. To be eligible, a student must make a written agreement
4700 to enter or be accepted to enter a law school in this state
4701 within 2 years after graduation or repay the scholarship loan
4702 amount plus interest at the prevailing rate.

4703 4. Recipients who fail to gain admission to a law school
4704 within the specified period of time, may, upon admission to law
4705 school, ~~be eligible to~~ have their loans canceled.

4706 5. Minority pre-law scholarship loans shall be provided to
4707 34 minority students per year for up to 4 years each, for a total
4708 of 136 scholarship loans. To continue receipt of scholarship
4709 loans, recipients must maintain a 2.75 grade point average for
4710 the freshman year and a 3.25 grade point average thereafter.
4711 Participants must also take specialized courses to enhance
4712 competencies in English and logic.

4713 6. The board of directors shall maintain records on all
4714 scholarship loan recipients. Participating institutions shall
4715 submit academic progress reports to the board of directors
4716 following each academic term. ~~Annually, the board of directors
4717 shall compile a report that includes a description of the
4718 selection process, an analysis of the academic progress of all
4719 scholarship loan recipients, and an analysis of expenditures.
4720 This report must be submitted to the President of the Senate, the
4721 Speaker of the House of Representatives, and the Governor.~~

4722 Section 194. Subsection (8) of section 1011.32, Florida
4723 Statutes, is amended to read:

4724 1011.32 Community College Facility Enhancement Challenge
4725 Grant Program.--

4726 (8) By September 1 of each year, the State Board of
4727 Education shall transmit to the Governor and the Legislature a

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4728 | list of projects which meet all eligibility requirements to
4729 | participate in the Community College Facility Enhancement
4730 | Challenge Grant Program and a budget request which includes the
4731 | recommended schedule necessary to complete each project.

4732 | Section 195. Paragraph (t) of subsection (1) of section
4733 | 1011.62, Florida Statutes, is amended to read:

4734 | 1011.62 Funds for operation of schools.--If the annual
4735 | allocation from the Florida Education Finance Program to each
4736 | district for operation of schools is not determined in the annual
4737 | appropriations act or the substantive bill implementing the
4738 | annual appropriations act, it shall be determined as follows:

4739 | (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
4740 | OPERATION.--The following procedure shall be followed in
4741 | determining the annual allocation to each district for operation:

4742 | (t) Extended-school-year program.--It is the intent of the
4743 | Legislature that students be provided additional instruction by
4744 | extending the school year to 210 days or more. Districts may
4745 | apply to the Commissioner of Education for funds to be used in
4746 | planning and implementing an extended-school-year program. ~~The~~
4747 | ~~Department of Education shall recommend to the Legislature the~~
4748 | ~~policies necessary for full implementation of an extended school~~
4749 | ~~year.~~

4750 | Section 196. Paragraph (1) of subsection (2) of section
4751 | 1012.05, Florida Statutes, is repealed.

4752 | Section 197. Subsection (1) of section 1012.42, Florida
4753 | Statutes, is amended to read:

4754 | 1012.42 Teacher teaching out-of-field.--

4755 | (1) ASSISTANCE.--Each district school board shall adopt and
4756 | implement a plan to assist any teacher teaching out-of-field, and

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4757 priority consideration in professional development activities
4758 shall be given to teachers who are teaching out-of-field. The
4759 district school board shall require that such teachers
4760 participate in a certification or staff development program
4761 designed to provide the teacher with the competencies required
4762 for the assigned duties. The board-approved assistance plan must
4763 include duties of administrative personnel and other
4764 instructional personnel to provide students with instructional
4765 services. ~~Each district school board shall contact its regional~~
4766 ~~workforce board, created pursuant to s. 445.007, to identify~~
4767 ~~resources that may assist teachers who are teaching out-of-field~~
4768 ~~and who are pursuing certification.~~

4769 Section 198. Section 1013.11, Florida Statutes, is amended
4770 to read:

4771 1013.11 Postsecondary institutions assessment of physical
4772 plant safety.--The president of each postsecondary institution
4773 shall conduct or cause to be conducted an annual assessment of
4774 physical plant safety. An annual report shall incorporate the
4775 assessment findings ~~obtained through such assessment~~ and
4776 recommendations for the improvement of safety on each campus. The
4777 annual report shall be submitted to the respective governing or
4778 licensing board of jurisdiction no later than January 1 of each
4779 year. Each board shall compile the individual institutional
4780 reports and convey the aggregate institutional reports to the
4781 Commissioner of Education or the Chancellor of the State
4782 University System, as appropriate. ~~The Commissioner of Education~~
4783 ~~and the Chancellor of the State University System shall convey~~
4784 ~~these reports and the reports required in s. 1006.67 to the~~
4785 ~~President of the Senate and the Speaker of the House of~~

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4786 ~~Representatives no later than March 1 of each year.~~

4787 Section 199. Paragraph (a) of subsection (4) of section
4788 163.065, Florida Statutes, is amended to read:

4789 163.065 Miami River Improvement Act.--

4790 (4) PLAN.--The Miami River Commission, working with the
4791 City of Miami and Miami-Dade County, shall consider the merits of
4792 the following:

4793 (a) Development and adoption of an urban infill and
4794 redevelopment plan, under ss. 163.2511-163.2523 ~~ss. 163.2511-~~
4795 ~~163.2526~~, which and participating state and regional agencies
4796 shall review ~~the proposed plan~~ for the purposes of determining
4797 consistency with applicable law.

4798 Section 200. Section 163.2514, Florida Statutes, is amended
4799 to read:

4800 163.2514 Growth Policy Act; definitions.--As used in ss.
4801 163.2511-163.2523, the term ~~ss. 163.2511-163.2526~~:

4802 (1) "Local government" means any county or municipality.

4803 (2) "Urban infill and redevelopment area" means an area or
4804 areas designated by a local government where:

4805 (a) Public services such as water and wastewater,
4806 transportation, schools, and recreation are already available or
4807 are scheduled to be provided in an adopted 5-year schedule of
4808 capital improvements;

4809 (b) The area, or one or more neighborhoods within the area,
4810 suffers from pervasive poverty, unemployment, and general
4811 distress as defined by s. 290.0058;

4812 (c) The area exhibits a proportion of properties that are
4813 substandard, overcrowded, dilapidated, vacant or abandoned, or
4814 functionally obsolete which is higher than the average for the

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4815 local government;

4816 (d) More than 50 percent of the area is within 1/4 mile of
4817 a transit stop, or a sufficient number of ~~such~~ transit stops will
4818 be made available concurrent with the designation; and

4819 (e) The area includes or is adjacent to community
4820 redevelopment areas, brownfields, enterprise zones, or Main
4821 Street programs; or or has been designated by the state or Federal
4822 Government as an urban redevelopment, revitalization, or infill
4823 area under empowerment zone, enterprise community, or brownfield
4824 showcase community programs or similar programs.

4825 Section 201. Subsection (1) of section 163.2511, Florida
4826 Statutes, is amended to read:

4827 163.2511 Urban infill and redevelopment.--

4828 (1) Sections 163.2511-163.2523 ~~163.2511-163.2526~~ may be
4829 cited as the "Growth Policy Act."

4830 Section 202. Subsection (2) of section 163.3202, Florida
4831 Statutes, is amended to read:

4832 163.3202 Land development regulations.--

4833 (2) Local land development regulations shall contain
4834 specific and detailed provisions necessary or desirable to
4835 implement the adopted comprehensive plan and shall as a minimum:

4836 (a) Regulate the subdivision of land. †

4837 (b) Regulate the use of land and water for those land use
4838 categories included in the land use element and ensure the
4839 compatibility of adjacent uses and provide for open space. †

4840 (c) Provide for protection of potable water wellfields. †

4841 (d) Regulate areas subject to seasonal and periodic
4842 flooding and provide for drainage and stormwater management. †

4843 (e) Ensure the protection of environmentally sensitive

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4844 lands designated in the comprehensive plan.~~†~~

4845 (f) Regulate signage.~~†~~

4846 (g) Provide that public facilities and services meet or
4847 exceed the standards established in the capital improvements
4848 element required by s. 163.3177 and are available when needed for
4849 the development, or that development orders and permits are
4850 conditioned on the availability of these public facilities and
4851 services necessary to serve the proposed development. ~~Not later~~
4852 ~~than 1 year after its due date established by the state land~~
4853 ~~planning agency's rule for submission of local comprehensive~~
4854 ~~plans pursuant to s. 163.3167(2),~~ A local government may ~~shall~~
4855 not issue a development order or permit that ~~which~~ results in a
4856 reduction in the level of services for the affected public
4857 facilities below the level of services provided in the local
4858 government's comprehensive plan ~~of the local government.~~

4859 (h) Ensure safe and convenient onsite traffic flow,
4860 considering needed vehicle parking.

4861 Section 203. Paragraph (b) of subsection (11) of section
4862 259.041, Florida Statutes, is amended to read:

4863 259.041 Acquisition of state-owned lands for preservation,
4864 conservation, and recreation purposes.--

4865 (11)

4866 (b) All project applications shall identify, within their
4867 acquisition plans, those projects which require a full fee simple
4868 interest to achieve the public policy goals, together with the
4869 reasons full title is determined to be necessary. The state
4870 agencies and the water management districts may use alternatives
4871 to fee simple acquisition to bring the remaining projects in
4872 their acquisition plans under public protection. For the

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4873 | purposes of this subsection, the term "alternatives to fee simple
4874 | acquisition" includes, but is not limited to: purchase of
4875 | development rights; obtaining conservation easements; obtaining
4876 | flowage easements; purchase of timber rights, mineral rights, or
4877 | hunting rights; purchase of agricultural interests or
4878 | silvicultural interests; entering into land protection agreements
4879 | as defined in s. 380.0677(3) ~~s. 380.0677(4)~~; fee simple
4880 | acquisitions with reservations; creating life estates; or any
4881 | other acquisition technique which achieves the public policy
4882 | goals listed in paragraph (a). It is presumed that a private
4883 | landowner retains the full range of uses for all the rights or
4884 | interests in the landowner's land which are not specifically
4885 | acquired by the public agency. The lands upon which hunting
4886 | rights are specifically acquired pursuant to this paragraph shall
4887 | be available for hunting in accordance with the management plan
4888 | or hunting regulations adopted by the Florida Fish and Wildlife
4889 | Conservation Commission, unless the hunting rights are purchased
4890 | specifically to protect activities on adjacent lands.

4891 | Section 204. Paragraph (c) of subsection (3) of section
4892 | 259.101, Florida Statutes, is amended to read:

4893 | 259.101 Florida Preservation 2000 Act.--

4894 | (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the costs
4895 | of issuance, the costs of funding reserve accounts, and other
4896 | costs with respect to the bonds, the proceeds of bonds issued
4897 | pursuant to this act shall be deposited into the Florida
4898 | Preservation 2000 Trust Fund created by s. 375.045. In fiscal
4899 | year 2000-2001, for each Florida Preservation 2000 program
4900 | described in paragraphs (a)-(g), that portion of each program's
4901 | total remaining cash balance which, as of June 30, 2000, is in

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4902 excess of that program's total remaining appropriation balances
4903 shall be redistributed by the department and deposited into the
4904 Save Our Everglades Trust Fund for land acquisition. For purposes
4905 of calculating the total remaining cash balances for this
4906 redistribution, the Florida Preservation 2000 Series 2000 bond
4907 proceeds, including interest thereon, and the fiscal year 1999-
4908 2000 General Appropriations Act amounts shall be deducted from
4909 the remaining cash and appropriation balances, respectively. The
4910 remaining proceeds shall be distributed by the Department of
4911 Environmental Protection in the following manner:

4912 (c) Ten percent to the Department of Community Affairs to
4913 provide land acquisition grants and loans to local governments
4914 through the Florida Communities Trust pursuant to part III of
4915 chapter 380. From funds allocated to the trust, \$3 million
4916 annually shall be used by the Division of State Lands within the
4917 Department of Environmental Protection to implement the Green
4918 Swamp Land Protection Initiative specifically for the purchase of
4919 conservation easements, as defined in s. 380.0677(3) ~~s.~~
4920 ~~380.0677(4)~~, of lands, or severable interests or rights in lands,
4921 in the Green Swamp Area of Critical State Concern. From funds
4922 allocated to the trust, \$3 million annually shall be used by the
4923 Monroe County Comprehensive Plan Land Authority specifically for
4924 the purchase of a ~~any~~ real property interest in ~~either~~ those
4925 lands subject to the Rate of Growth Ordinances adopted by local
4926 governments in Monroe County or those lands within the boundary
4927 of an approved Conservation and Recreation Lands project located
4928 within the Florida Keys or Key West Areas of Critical State
4929 Concern; however, title to lands acquired within the boundary of
4930 an approved Conservation and Recreation Lands project may, in

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4931 accordance with an approved joint acquisition agreement, vest in
4932 the Board of Trustees of the Internal Improvement Trust Fund. Of
4933 the remaining funds ~~allocated to the trust after the above~~
4934 ~~transfers occur~~, one-half shall be matched by local governments
4935 on a dollar-for-dollar basis. To the extent allowed by federal
4936 requirements for the use of bond proceeds, the trust shall expend
4937 Preservation 2000 funds to carry out the purposes of part III of
4938 chapter 380.

4939
4940 Local governments may use federal grants or loans, private
4941 donations, or environmental mitigation funds, including
4942 environmental mitigation funds required pursuant to s. 338.250,
4943 for any part or all of any local match required for the purposes
4944 described in this subsection. Bond proceeds allocated pursuant
4945 to paragraph (c) may be used to purchase lands on the priority
4946 lists developed pursuant to s. 259.035. Title to lands purchased
4947 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
4948 vested in the Board of Trustees of the Internal Improvement Trust
4949 Fund. Title to lands purchased pursuant to paragraph (c) may be
4950 vested in the Board of Trustees of the Internal Improvement Trust
4951 Fund. The board of trustees shall hold title to land protection
4952 agreements and conservation easements that were or will be
4953 acquired pursuant to s. 380.0677, and the Southwest Florida Water
4954 Management District and the St. Johns River Water Management
4955 District shall monitor such agreements and easements within their
4956 respective districts until the state assumes this responsibility.

4957 Section 205. Subsections (1) and (5) of section 369.305,
4958 Florida Statutes, are amended to read:

4959 369.305 Review of local comprehensive plans, land

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4960 development regulations, Wekiva River development permits, and
4961 amendments.--

4962 (1) ~~It is the intent of the Legislature that comprehensive~~
4963 ~~plans and land development regulations of Orange, Lake, and~~
4964 ~~Seminole Counties be revised to protect the Wekiva River~~
4965 ~~Protection Area prior to the due dates established in ss.~~
4966 ~~163.3167(2) and 163.3202 and chapter 9J-12, Florida~~
4967 ~~Administrative Code.~~ It is also the intent of the Legislature
4968 that Orange, Lake, and Seminole ~~the~~ Counties emphasize the Wekiva
4969 River Protection Area ~~this important state resource~~ in their
4970 planning and regulation efforts. Therefore, each county's ~~county~~
4971 ~~shall, by April 1, 1989, review and amend those portions of its~~
4972 local comprehensive plan and ~~its~~ land development regulations
4973 applicable to the Wekiva River Protection Area must, and, if
4974 ~~necessary, adopt additional land development regulations which~~
4975 ~~are applicable to the Wekiva River Protection Area to meet the~~
4976 following criteria:

4977 (a) Each county's local comprehensive plan must ~~shall~~
4978 contain goals, policies, and objectives that ~~which~~ result in the
4979 protection of the:

4980 1. Water quantity, water quality, and hydrology of the
4981 Wekiva River System;

4982 2. Wetlands associated with the Wekiva River System;

4983 3. Aquatic and wetland-dependent wildlife species
4984 associated with the Wekiva River System;

4985 4. Habitat within the Wekiva River Protection Area of
4986 species designated pursuant to rules 39-27.003, 39-27.004, and
4987 39-27.005, Florida Administrative Code; and

4988 5. Native vegetation within the Wekiva River Protection

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4989 Area.

4990 (b) The various land uses and densities and intensities of
4991 development permitted by the local comprehensive plan shall
4992 protect the resources enumerated in paragraph (a) and the rural
4993 character of the Wekiva River Protection Area. The plan must
4994 ~~shall~~ also include:

4995 1. Provisions that ~~to~~ ensure the preservation of sufficient
4996 habitat for feeding, nesting, roosting, and resting so as to
4997 maintain viable populations of species designated pursuant to
4998 rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative
4999 Code, within the Wekiva River Protection Area.

5000 2. Restrictions on the clearing of native vegetation within
5001 the 100-year flood plain.

5002 3. Prohibition of development that is not low-density
5003 residential in nature, unless that development has less effect
5004 ~~impacts~~ on natural resources than low-density residential
5005 development.

5006 4. Provisions for setbacks along the Wekiva River for areas
5007 that do not fall within the protection zones established pursuant
5008 to s. 373.415.

5009 5. Restrictions on intensity of development adjacent to
5010 publicly owned lands to prevent adverse impacts to such lands.

5011 6. Restrictions on filling and alteration of wetlands in
5012 the Wekiva River Protection Area.

5013 7. Provisions encouraging clustering of residential
5014 development if ~~when~~ it promotes protection of environmentally
5015 sensitive areas, and ensures ~~ensuring~~ that residential
5016 development in the aggregate shall be of a rural density and
5017 character.

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5018 (c) The local comprehensive plan must ~~shall~~ require that
5019 the density or intensity of development permitted on parcels of
5020 property adjacent to the Wekiva River System be concentrated on
5021 those portions of the parcels which are the farthest from the
5022 surface waters and wetlands of the Wekiva River System.

5023 (d) The local comprehensive plan must ~~shall~~ require that
5024 parcels of land adjacent to the surface waters and watercourses
5025 of the Wekiva River System not be subdivided so as to interfere
5026 with the implementation of protection zones as established
5027 pursuant to s. 373.415, any applicable setbacks from the surface
5028 waters in the Wekiva River System which are established by local
5029 governments, or the policy established in paragraph (c) of
5030 concentrating development in the Wekiva River Protection Area as
5031 far from the surface waters and wetlands of the Wekiva River
5032 System as practicable.

5033 (e) The local land development regulations shall implement
5034 the provisions of paragraphs (a), (b), (c), and (d) and must
5035 ~~shall~~ also include restrictions on the location of septic tanks
5036 and drainfields in the 100-year flood plain and discharges of
5037 stormwater to the Wekiva River System.

5038 ~~(5) During the period of time between the effective date of~~
5039 ~~this act and the due date of a county's revised local government~~
5040 ~~comprehensive plan as established by s. 163.3167(2) and chapter~~
5041 ~~9J-12, Florida Administrative Code, any local comprehensive plan~~
5042 ~~amendment or amendment to a land development regulation, adopted~~
5043 ~~or issued by a county, which applies to the Wekiva River~~
5044 ~~Protection Area, or any Wekiva River development permit adopted~~
5045 ~~by a county, solely within protection zones established pursuant~~
5046 ~~to s. 373.415, shall be sent to the department within 10 days~~

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5047 ~~after its adoption or issuance by the local governing body but~~
5048 ~~shall not become effective until certified by the department as~~
5049 ~~being in compliance with purposes described in subsection (1).~~
5050 ~~The department shall make its decision on certification within 60~~
5051 ~~days after receipt of the amendment or development permit solely~~
5052 ~~within protection zones established pursuant to s. 373.415. The~~
5053 ~~department's decision on certification shall be final agency~~
5054 ~~action. This subsection shall not apply to any amendments or new~~
5055 ~~land development regulations adopted pursuant to subsections (1)-~~
5056 ~~(4) or to any development order approving, approving with~~
5057 ~~conditions, or denying a development of regional impact.~~

5058 Section 206. Paragraph (g) of subsection (1) of section
5059 370.12, Florida Statutes, is amended to read:

5060 370.12 Marine animals; regulation.--

5061 (1) PROTECTION OF MARINE TURTLES.--

5062 (g) The Department of Environmental Protection may
5063 condition the nature, timing, and sequence of construction of
5064 permitted activities to provide protection to nesting marine
5065 turtles and hatchlings and their habitat pursuant to s.
5066 161.053(4) ~~the provisions of s. 161.053(5)~~. When the department
5067 is considering a permit for a beach restoration, beach
5068 renourishment, or inlet sand transfer project and the applicant
5069 has had an active marine turtle nest relocation program or the
5070 applicant has agreed to and has the ability to administer a
5071 program, the department must not restrict the timing of the
5072 project. Where appropriate, the department, in accordance with
5073 the applicable rules of the Fish and Wildlife Conservation
5074 Commission, shall require as a condition of the permit that the
5075 applicant relocate and monitor all turtle nests that would be

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5076 affected by the beach restoration, beach renourishment, or sand
5077 transfer activities. Such relocation and monitoring activities
5078 shall be conducted in a manner that ensures successful hatching.
5079 This limitation on the department's authority applies only on the
5080 Atlantic coast of Florida.

5081 Section 207. Section 381.732, Florida Statutes, is amended
5082 to read:

5083 381.732 Short title; Healthy Communities, Healthy People
5084 Act.--Sections 381.732-381.734 ~~381.731-381.734~~ may be cited as
5085 the "Healthy Communities, Healthy People Act."

5086 Section 208. Section 381.733, Florida Statutes, is amended
5087 to read:

5088 381.733 Definitions relating to Healthy Communities,
5089 Healthy People Act.--As used in ss. 381.732-381.734 ~~ss. 381.731-~~
5090 ~~381.734~~, the term:

5091 (1) "Department" means the Department of Health.

5092 (2) "Primary prevention" means interventions directed
5093 toward healthy populations with a focus on avoiding disease prior
5094 to its occurrence.

5095 (3) "Secondary prevention" means interventions designed to
5096 promote the early detection and treatment of diseases and to
5097 reduce the risks experienced by at-risk populations.

5098 (4) "Tertiary prevention" means interventions directed at
5099 rehabilitating and minimizing the effects of disease in a
5100 chronically ill population.

5101 Section 209. Paragraph (d) of subsection (5) of section
5102 411.01, Florida Statutes, is amended to read:

5103 411.01 School readiness programs; early learning
5104 coalitions.--

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5105 (5) CREATION OF EARLY LEARNING COALITIONS.--

5106 (d) Implementation.--

5107 1. An early learning coalition may not implement the school
5108 readiness program until the coalition is authorized through
5109 approval of the coalition's school readiness plan by the Agency
5110 for Workforce Innovation.

5111 2. Each early learning coalition shall develop a plan for
5112 implementing the school readiness program to meet the
5113 requirements of this section and the performance standards and
5114 outcome measures adopted by the Agency for Workforce Innovation.
5115 The plan must demonstrate how the program will ensure that each
5116 3-year-old and 4-year-old child in a publicly funded school
5117 readiness program receives scheduled activities and instruction
5118 designed to enhance the age-appropriate progress of the children
5119 in attaining the performance standards adopted by the agency ~~for~~
5120 ~~Workforce Innovation~~ under subparagraph (4) (d) 8. Before
5121 implementing the school readiness program, the early learning
5122 coalition must submit the plan to the agency ~~for Workforce~~
5123 ~~Innovation~~ for approval. The agency ~~for Workforce Innovation~~ may
5124 approve the plan, reject the plan, or approve the plan with
5125 conditions. The agency ~~for Workforce Innovation~~ shall review
5126 school readiness plans at least annually.

5127 3. If the Agency for Workforce Innovation determines during
5128 the annual review of school readiness plans, or through
5129 monitoring and performance evaluations conducted under paragraph
5130 (4) (1), that an early learning coalition has not substantially
5131 implemented its plan, has not substantially met the performance
5132 standards and outcome measures adopted by the agency, or has not
5133 effectively administered the school readiness program or

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5134 Voluntary Prekindergarten Education Program, the agency ~~for~~
5135 ~~Workforce Innovation~~ may dissolve the coalition and temporarily
5136 contract with a qualified entity to continue school readiness and
5137 prekindergarten services in the coalition's county or multicounty
5138 region until the coalition is reestablished through resubmission
5139 of a school readiness plan and approval by the agency.

5140 4. The Agency for Workforce Innovation shall adopt criteria
5141 for the approval of school readiness plans. The criteria must be
5142 consistent with the performance standards and outcome measures
5143 adopted by the agency and must require each approved plan to
5144 include the following minimum standards and provisions:

5145 a. A sliding fee scale establishing a copayment for parents
5146 based upon their ability to pay, which is the same for all
5147 program providers, to be implemented and reflected in each
5148 program's budget.

5149 b. A choice of settings and locations in licensed,
5150 registered, religious-exempt, or school-based programs to be
5151 provided to parents.

5152 c. Instructional staff who have completed the training
5153 course as required in s. 402.305(2)(d)1., as well as staff who
5154 have additional training or credentials as required by the Agency
5155 for Workforce Innovation. The plan must provide a method for
5156 assuring the qualifications of all personnel in all program
5157 settings.

5158 d. Specific eligibility priorities for children within the
5159 early learning coalition's county or multicounty region in
5160 accordance with subsection (6).

5161 e. Performance standards and outcome measures adopted by
5162 the agency ~~for Workforce Innovation~~.

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5163 f. Payment rates adopted by the early learning coalition
5164 and approved by the agency ~~for Workforce Innovation~~. Payment
5165 rates may not have the effect of limiting parental choice or
5166 creating standards or levels of services that have not been
5167 authorized by the Legislature.

5168 g. Systems support services, including a central agency,
5169 child care resource and referral, eligibility determinations,
5170 training of providers, and parent support and involvement.

5171 h. Direct enhancement services to families and children.
5172 System support and direct enhancement services shall be in
5173 addition to payments for the placement of children in school
5174 readiness programs.

5175 i. The business organization of the early learning
5176 coalition, which must include the coalition's articles of
5177 incorporation and bylaws if the coalition is organized as a
5178 corporation. If the coalition is not organized as a corporation
5179 or other business entity, the plan must include the contract with
5180 a fiscal agent. An early learning coalition may contract with
5181 other coalitions to achieve efficiency in multicounty services,
5182 and these contracts may be part of the coalition's school
5183 readiness plan.

5184 j. Strategies to meet the needs of unique populations, such
5185 as migrant workers.

5186

5187 As part of the school readiness plan, the early learning
5188 coalition may request the Governor to apply for a waiver to allow
5189 the coalition to administer the Head Start Program to accomplish
5190 the purposes of the school readiness program. If a school
5191 readiness plan demonstrates that specific statutory goals can be

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5192 achieved more effectively by using procedures that require
5193 modification of existing rules, policies, or procedures, a
5194 request for a waiver to the Agency for Workforce Innovation may
5195 be submitted as part of the plan. Upon review, the agency ~~for~~
5196 ~~Workforce Innovation~~ may grant the proposed modification.

5197 5. Persons with an early childhood teaching certificate may
5198 provide support and supervision to other staff in the school
5199 readiness program.

5200 6. An early learning coalition may not implement its school
5201 readiness plan until it submits the plan to and receives approval
5202 from the Agency for Workforce Innovation. Once the plan is
5203 approved, the plan and the services provided under the plan shall
5204 be controlled by the early learning coalition. The plan shall be
5205 reviewed and revised as necessary, but at least biennially. An
5206 early learning coalition may not implement the revisions until
5207 the coalition submits the revised plan to and receives approval
5208 from the agency ~~for Workforce Innovation~~. If the agency ~~for~~
5209 ~~Workforce Innovation~~ rejects a revised plan, the coalition must
5210 continue to operate under its prior approved plan.

5211 7. Sections 125.901(2)(a)3., ~~411.221~~, and 411.232 do not
5212 apply to an early learning coalition with an approved school
5213 readiness plan. To facilitate innovative practices and to allow
5214 the regional establishment of school readiness programs, an early
5215 learning coalition may apply to the Governor and Cabinet for a
5216 waiver of, and the Governor and Cabinet may waive, any of the
5217 provisions of ss. 411.223, 411.232, and 1003.54, if the waiver is
5218 necessary for implementation of the coalition's school readiness
5219 plan.

5220 8. Two or more counties may join for purposes of planning

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5221 and implementing a school readiness program.

5222 9. An early learning coalition may, subject to approval by
5223 the Agency for Workforce Innovation as part of the coalition's
5224 school readiness plan, receive subsidized child care funds for
5225 all children eligible for any federal subsidized child care
5226 program.

5227 10. An early learning coalition may enter into multiparty
5228 contracts with multicounty service providers in order to meet the
5229 needs of unique populations such as migrant workers.

5230 Section 210. Paragraph (a) of subsection (3) of section
5231 411.232, Florida Statutes, is amended to read:

5232 411.232 Children's Early Investment Program.--

5233 (3) ESSENTIAL ELEMENTS.--

5234 (a) Initially, the program shall be directed to geographic
5235 areas where at-risk young children and their families are in
5236 greatest need because of an unfavorable combination of economic,
5237 social, environmental, and health factors, including, without
5238 limitation, extensive poverty, high crime rate, great incidence
5239 of low birthweight babies, high incidence of alcohol and drug
5240 abuse, and high rates of teenage pregnancy. The selection of a
5241 geographic site shall also consider the incidence of young
5242 children within these at-risk geographic areas who are cocaine
5243 babies, children of single mothers who receive temporary cash
5244 assistance, children of teenage parents, low birthweight babies,
5245 and very young foster children. To receive funding under this
5246 section, an agency, board, council, or provider must demonstrate:

5247 1. Its capacity to administer and coordinate the programs
5248 and services in a comprehensive manner and provide a flexible
5249 range of services;

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5250 2. Its capacity to identify and serve those children least
5251 able to access existing programs and case management services;

5252 3. Its capacity to administer and coordinate the programs
5253 and services in an intensive and continuous manner;

5254 4. The proximity of its facilities to young children,
5255 parents, and other family members to be served by the program, or
5256 its ability to provide offsite services;

5257 5. Its ability to use existing federal, state, and local
5258 governmental programs and services in implementing the investment
5259 program;

5260 6. Its ability to coordinate activities and services with
5261 existing public and private, state and local agencies and
5262 programs such as those responsible for health, education, social
5263 support, mental health, child care, respite care, housing,
5264 transportation, alcohol and drug abuse treatment and prevention,
5265 income assistance, employment training and placement, nutrition,
5266 and other relevant services, all the foregoing intended to assist
5267 children and families at risk;

5268 7. How its plan will involve project participants and
5269 community representatives in the planning and operation of the
5270 investment program; and

5271 8. Its ability to participate in the evaluation component
5272 required in this section. ; ~~and~~

5273 ~~9. Its consistency with the strategic plan pursuant to s.~~
5274 ~~411.221.~~

5275 Section 211. Paragraph (a) of subsection (6) of section
5276 445.006, Florida Statutes, is amended to read:

5277 445.006 Strategic and operational plans for workforce
5278 development.--

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5279 (6) (a) The operational plan must include strategies that
5280 are designed to prevent or reduce the need for a person to
5281 receive public assistance, including. ~~These strategies must~~
5282 ~~include:~~

5283 1. A teen pregnancy prevention component that includes, but
5284 is not limited to, a plan for implementing ~~the Florida Education~~
5285 ~~Now and Babies Later (ENABL) program under s. 411.242 and the~~
5286 Teen Pregnancy Prevention Community Initiative within each county
5287 of the services area in which the teen birth rate is higher than
5288 the state average;

5289 2. A component that encourages ~~creation of~~ community-based
5290 welfare prevention and reduction initiatives that increase
5291 support provided by noncustodial parents to their welfare-
5292 dependent children and are consistent with program and financial
5293 guidelines developed by Workforce Florida, Inc., and the
5294 Commission on Responsible Fatherhood. These initiatives may
5295 include, but are not limited to, improved paternity
5296 establishment, work activities for noncustodial parents, programs
5297 aimed at decreasing out-of-wedlock pregnancies, encouraging
5298 involvement of fathers with their children including court-
5299 ordered supervised visitation, and increasing child support
5300 payments;

5301 3. A component that encourages formation and maintenance of
5302 two-parent families through, among other things, court-ordered
5303 supervised visitation;

5304 4. A component that fosters responsible fatherhood in
5305 families receiving assistance; and

5306 5. A component that fosters provision of services that
5307 reduce the incidence and effects of domestic violence on women

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5308 | and children in families receiving assistance.

5309 | Section 212. This act shall take effect upon becoming a

5310 | law.